

State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

**SECTION 5310**  
**CAPITAL ASSISTANCE FOR THE TRANSPORTATION**  
**OF THE ELDERLY AND DISABLED**

**ENCLOSURES**

Application

- Sample Vehicle Specifications and Plans

Award

- Certifications and Assurances
- Agreement
- List of Vehicle Vendors
- List of Government Transit Support Agencies

Delivery

- Purchasers' Requirements Certification

Operations & Maintenance

- Annual Recipient Organization Report
- Quarterly Recipient Organization Report
- Site Inspection Checklist

Disposition

- Disposition Instructions & Application

## **Organization Name**

### **SPECIFICATIONS for One (1) Five (5) Passenger Van Conversion with Two (2) Wheelchair Positions, Plus Driver.**

- A. DIMENSIONS
- exterior: length – 200”, height - 71”, width - 75”
  - interior: width - 61”, headroom - 58”
  - curb weight - 4,300 lbs.
- B. VAN CHASSIS
1. Model: - latest production model
  2. GVW Rating: - 5,360 lbs. maximum
  3. Wheelbase: - 120 inches
  4. Engine: - 3.4 liter, fuel injected, 6 cylinder, gasoline engine
  5. Transmission: - 4-speed electronic automatic transmission with overdrive and auxiliary cooler
  6. Suspension: - meet manufacturer's and Federal GAWR requirements for GVW submitted
    - heavy-duty independent strut front suspension with shock absorbers
    - heavy-duty automatic load-leveling rear air suspension with shock absorbers
  7. Steering: - hydraulic assist power steering with tilt and cruise control
  8. Brakes: - power hydraulic front disc and rear drum brakes with ABS
    - parking brake with foot pedal application
  9. Electrical: - alternator; heavy duty, 105 AMP
    - single battery, maintenance free, 600 CCA
  10. Tires & Wheels: - Four (4) manufacturer's standard radial tires with aluminum wheels
    - compact spare tire and wheel; interior mounted
  11. Fuel Supply: - 20 gallon fuel tank
  12. Bumpers: - front and rear original equipment manufacture bumpers
  13. Frame: - steel frame
    - full original equipment manufacture standard factory undercoating with rustproofing

## Organization Name

### **SPECIFICATIONS for One (1) Five (5) Passenger Van Conversion with Two (2) Wheelchair Positions, Plus Driver.**

#### **C. VAN BODY**

1. Model: - latest production model
2. Structure - meets all applicable Federal Motor Vehicle Safety Standards (FMVSS)
  - extended van body
  - 12" lowered, stainless steel floor conversion
3. Capacity - five (5) passenger van with two (2) wheelchair positions (see Part 3)
4. Color - exterior; bright white paint
  - interior; white
5. Doors:
  - driver side front door- original equipment manufacture standard
  - passenger side front door- original equipment manufacture standard
  - driver side rear door – manual side sliding door, original equipment manufacture
  - passenger side rear door – manual side sliding door, original equipment manufacture
  - rear lift gate – original equipment manufacture standard
  - driver and passenger molded ground effect skirts
  - key operated exterior locks
  - powered interior door locks
6. Dashboard Gauges/Lamps:
  - instruments shall be gauges in lieu of indicator lights
  - speedometer
  - odometer
  - voltmeter
  - oil pressure
  - water temperature
  - fuel capacity
  - high beam light
  - left/right turn indicator
  - emergency warning flasher
  - parking brake
  - air conditioner control console
  - intermittent windshield wiper controls
  - AM/FM/CD stereo radio with four (4) speakers
7. Lights & Reflectors:
  - shall meet all manufacturer's requirements and Federal Motor Vehicle Safety Standards
  - driver dome, passenger courtesy

## **Organization Name**

### **SPECIFICATIONS for One (1) Five (5) Passenger Van Conversion with Two (2) Wheelchair Positions, Plus Driver.**

8. Seats:
  - one (1) driver seat; power operated, adjustable, high back, original equipment manufacture standard gray colored fabric upholstery
  - one (1) passenger seat; adjustable, high back, removable, original equipment manufacture standard gray colored fabric upholstery
  - One (1) rear backseat, original equipment manufacture standard gray colored fabric upholstery
  - double fold-away seat over rear wheelchair position; original equipment manufacture standard gray colored fabric upholstery
  - MOR/care or equal vinyl on all seats
9. Seat Belts:
  - retractable driver seat belt
  - non-retracting seat belts for all seats
  - all seat belts, original equipment manufacture standard
10. Wheelchair Stations:
  - one (1) station at front passenger side of van
  - one (1) station at mid passenger side of van
  - forward facing
  - labeled components (front, rear, lap, shoulder)
  - two (2) L-Track Flush Sure-Lok Retractor retractable FF612-4C Wheel chair Tiedowns or equivalent
  - L-track floor anchorage points for each wheelchair station with lap/shoulder restraint
  - storage compartment(s) for restraints
11. Wheelchair Ramp
  - 54" manual fold-out with lighting
  - meet all ADA requirements
  - located at mid passenger side of van
12. Air Conditioning:
  - modify original equipment manufacture standard for rear a/c and heat
  - front and rear defroster
13. Windows
  - powered windows
  - front windshield with deep tint strip
  - front door windows with deep tint
  - lift gate window with deep tint
  - meets federal and state requirements
  - tinted glass; original equipment manufacture standard
14. Ventilation
  - provide adequate air intake for sufficient ventilation
15. Mirrors
  - interior rear view mirror
  - exterior right and left; original equipment manufacture standard

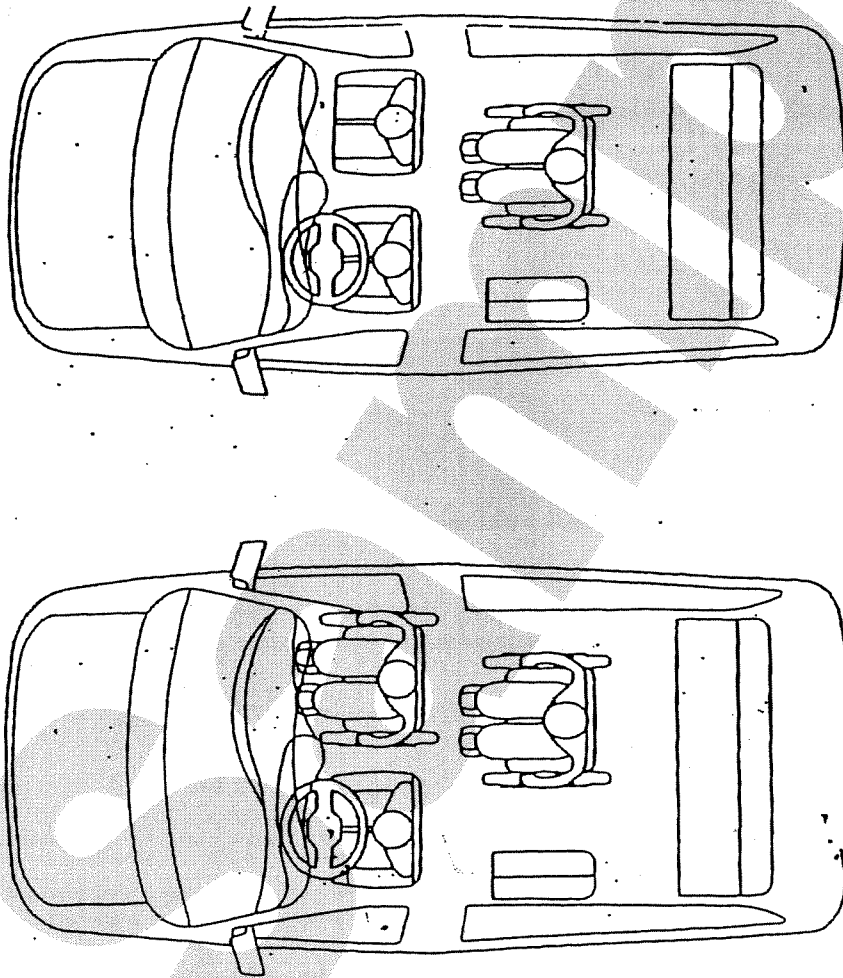
## Organization Name

### **SPECIFICATIONS for One (1) Five (5) Passenger Van Conversion with Two (2) Wheelchair Positions, Plus Driver.**

- 16. Floor Covering - gray Altro floor covering, rubberized, covering entire floor to seat rail; smooth under seats, ribbed aisle, ribbed wheelchair positions
- 17. Insulation - original equipment manufacture complete interior insulation package
- 18. Sun Visor - provided on driver and passenger side
- 19. Roof Rack - roof mounted luggage carrier

#### **D. OTHER ITEMS:**

- 1. Safety Equipment:
  - reverse alarm
  - first aid kit; 10 unit
  - three (3) triangle reflectors stored in metal or plastic container
  - one (1) fire extinguisher; 2.5 lb., ABC type, mounted near driver
  - ADA decals
  - jack and wheel wrench
- 2. Technical Manuals:
  - one (1) original equipment manufacture operator's manual including chassis service and repair manual
  - one (1) original equipment manufacture chassis illustrated parts manual
  - one (1) body illustrated parts manual
  - one (1) body illustrated wiring diagram
  - operating instructions for all converted/added systems
- 3. Keyless Entry: - remote operated keyless entry system



**NOTES:**

1. This drawing is not to scale.
2. This drawing is the property of Eldorado National Company and is used for providing clarification on the vehicle description.

State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

Plan View

**ONE (1) FIVE (5) PASSENGER VAN CONVERSION WITH TWO (2) WHEELCHAIR POSITIONS, PLUS DRIVER as specified for**

## Organization Name

### **SPECIFICATIONS for One (1) Fourteen (14) Passenger Mini-Bus with Wheelchair Lift and Three (3) Wheelchair Positions, Plus Driver.**

- A. DIMENSIONS
- exterior: length - 256", height - 115", width - 99"
  - interior: width - 85", headroom - 75"
  - curb weight - 7,500 lbs.
- B. MINI-BUS CHASSIS
1. Model: - latest production model
  2. GVW Rating: - 11,000 lbs. maximum
  3. Wheelbase: - 138 inches
  4. Engine: - 6.8 liter, 265 HP, V-10, gasoline engine
  5. Transmission: - 4-speed electronic automatic transmission with overdrive and auxiliary cooler
  6. Suspension:
    - meet manufacturer's and Federal GAWR requirements for GVW submitted
    - front axle 4,600 GAWR
    - rear axle; heavy duty, full floating, 7,800 GAWR
    - rear axle ratio 4.10:1
    - heavy-duty spring front suspension with shock absorbers and one (1) inch stabilizer bar
    - heavy-duty multi-leaf spring rear suspension with shock absorbers
    - MOR/ryde or equal rear rubber add-on suspension system with additional leaf spring on lift side
  7. Steering: - hydraulic assist power steering with tilt and cruise control
  8. Brakes:
    - power hydraulic front and rear disc brakes with 4-wheel ABS
    - parking brake with foot pedal apply
  9. Electrical:
    - alternator; heavy duty type, 200 AMP, high idle/low speed
    - dual batteries, maintenance free, 750 CCA
    - color, number, and function coded wiring with master electrical shutoff near driver
    - automatic fast idle
  10. Tires & Wheels:
    - seven (7) manufacturer's standard radial tires; single front, dual rear, spare with wheel
    - spare tire shipped loose
    - front and rear mud flaps

## Organization Name

### **SPECIFICATIONS for One (1) Fourteen (14) Passenger Mini-Bus with Wheelchair Lift and Three (3) Wheelchair Positions, Plus Driver.**

- 11. Fuel Supply: - 37 gallon fuel tank
- 12. Bumpers: - original equipment manufacture steel bumpers; front chrome and rear painted exterior white
- 13. Frame: - steel frame  
- full original equipment manufacture standard factory undercoating with rustproofing

#### **C. MINI-BUS BODY**

- 1. Model: - latest production model
- 2. Structure: - meets all applicable Federal Motor Vehicle Safety Standards (FMVSS)  
- steel reinforced composite body  
- steel grid subframe, 16" center, 3/4" exterior grade sealed plywood floor mounted on rubber isolators  
- fiberglass hardwall insulated interior sidewalls, white colored  
- zinc chromate body primed steel body frame with stainless steel exterior body screws  
- diamond plate floor access panel for fuel pump  
- roof vent exit
- 3. Capacity: - fourteen (14) passenger mini-van with three (3) wheelchair positions (see part 4)
- 4. Color: - exterior, white  
- interior, white
- 5. Doors: - key operated lock  
- driver side - manufacture standard  
- driver side running board  
- 30" clear manual entry door  
- passenger side - manual 30" dual panel entry  
- 2" elastomeric material on each section that overlaps for tight seal  
- stainless steel wheelchair door frames with white powder coating finish
- 6. Stepwell: - 32" wide  
- individual risers, 9" maximum  
- step depth, 9" minimum  
- bottom step, 12" maximum from street



**Organization Name**

**SPECIFICATIONS for One (1) Fourteen (14) Passenger Mini-Bus with Wheelchair Lift and Three (3) Wheelchair Positions, Plus Driver.**

- non-skid safety steps
- equipped for stepwell light
- yellow step nosing
- 7. Grab Rail:
  - stainless steel rail located at left side of passenger door entry
  - stainless steel rail located at right side of passenger door entry
  - two (2) overhead stainless steel rails running the full length of the passenger area of the vehicle
  - rails to be anchored to frame
- 8. Modesty Panel:
  - stainless steel stanchion with padded modesty panel at left side of stepwell and behind of driver's seat, anchored to frame
- 9. Dashboard Gauges/Lamps:
  - instruments shall be gauges in lieu of indicator lights
  - speedometer
  - odometer
  - voltmeter
  - oil pressure
  - fuel capacity
  - water temperature
  - high beam light
  - left/right turn indicator
  - emergency warning flasher
  - parking brake
  - wheelchair lift control console
  - air conditioner control console
  - intermittent windshield wiper controls
  - AM/FM/CD stereo radio with four (4) speakers
- 10. Lights & Reflectors:
  - shall meet all manufacturer's requirements and Federal Motor Vehicle Safety Standards
  - separately switched driver dome light
  - passenger courtesy and stepwell lights
  - lights activated by entry door and/or driver, with override switch on control panel
- 11. Seats:
  - one (1) driver seat; adjustable, RH arm, with fabric upholstery
  - three (3) bucket seats; mid-back type, double seating, with vinyl upholstery
  - four (4) foldaway seats; mid-back type, split back style, double seating, with vinyl upholstery
  - seven (7) aisle grab handles; hard rubber type
  - seven (7) aisle armrests
- 12. Seat Belts:
  - fourteen (14) non-retracting seat belts for all seats
  - driver seat belt
  - all seat belts, original equipment manufacturer standard

## Organization Name

### **SPECIFICATIONS for One (1) Fourteen (14) Passenger Mini-Bus with Wheelchair Lift and Three (3) Wheelchair Positions, Plus Driver.**

13. Wheelchair Stations:
- three (3) stations on driver side of mini-bus
  - forward facing
  - labeled components (front, rear, lap, shoulder)
  - three (3) L-Truck Flush Sure-Lok Retractor Retractable FF612-4C Wheelchair Tiedowns or equivalent
  - four (4) stainless steel floor anchorage points for each wheelchair station with lap/shoulder restraint
  - three wheelchair belt storage bags
14. Wheelchair Lift:
- design load of 600 lbs.
  - lift speed of 6" per second maximum
  - lift cycle of 50 seconds maximum
  - platform size of 32" wide x 48" long
  - meet all ADA requirements
  - located at rear passenger side of mini-bus
  - Intermotive Intelligent Lift Interlock System (ILIS) or equivalent to prevent:
    - vehicle movement unless lift is stowed
    - lift operation unless vehicle is stopped
    - lift operation unless backstop barrier is in position and locked
    - outer backstop barrier to be lowered unless lift platform is at the unloading height, below the mini-bus floor level
  - control system prevents lift operation from jacking the vehicle and causing damage to the vehicle or lift
  - manual emergency method of operation available if power fails for any portion of lift cycle
  - stainless steel dual lift doors, 44" wide and 68" high, with windows and gas shocks
  - key operated lock for door
  - lift door switch activated spotlight above and below lift
  - exterior wheelchair lift light for entry door and lift
  - interior wheelchair lift light for lift
  - form fitted padded lift cover
15. Air Conditioning:
- front dash original equipment manufacture air conditioner, heater, and defroster
  - 55,000 BTU rear air conditioner, free blow with dual compressors, overhead installation on evaporator
  - combined 70,000 BTU
  - separate controls for front and rear air conditioning units
  - driver accessible controls
16. Windows:
- front windshield with deep tint strip

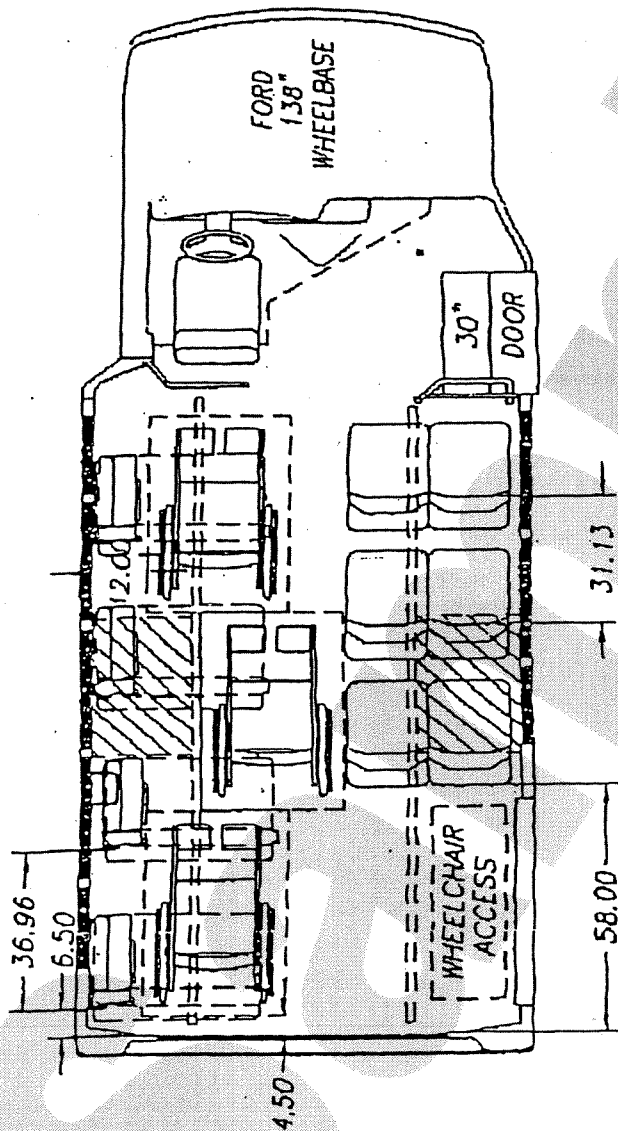
## Organization Name

### **SPECIFICATIONS for One (1) Fourteen (14) Passenger Mini-Bus with Wheelchair Lift and Three (3) Wheelchair Positions, Plus Driver.**

- driver; original equipment manufacture standard deep tint window
  - passengers; approx. 29" wide and 41" high; 2-piece divided type; lower portion fixed, upper portion horizontal slide
  - rear; approx. 60" wide x 20" high, escape type
  - tinted glass on windows, original equipment manufacture standard
  - 31% tint on passenger windows
  - all windows must meet federal and state requirements
  - provide adequate visibility on passenger side of curb
  - all emergency windows will include illuminated "exit" sign
17. Ventilation: - provide adequate air intake for sufficient ventilation
18. Mirrors: - interior rear view, 6" x 16"  
- deluxe powder coated dual exterior mirrors with convex
19. Floor Covering: - black colored rubberized floor covering entire floor to seat rail; smooth under seats, ribbed aisle, ribbed wheelchair positions
20. Insulation: - original equipment manufacture complete interior insulation package
21. Sun Visor: - provided on driver side

#### **D. OTHER ITEMS**

1. Safety Equipment: - reverse alarm  
- rear sonar backup system  
- first aid kit  
- three (3) triangle reflectors stored in metal or plastic container  
- one (1) fire extinguisher; 10BC type, mounted near driver  
- ADA decals  
- dual electric horns  
- jack and wheel wrench
2. Technical Manuals: - one (1) original equipment manufacture operator's manual including chassis service and repair manual  
- one (1) original equipment manufacture chassis illustrated parts manual  
- one (1) body illustrated parts manual  
- one (1) body illustrated wiring diagram  
- operating instructions for all converted/added systems
3. Storage: - driver overhead storage



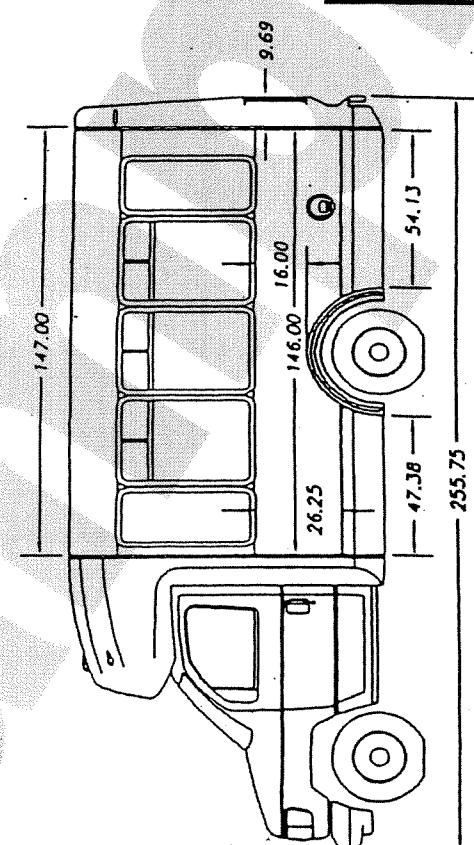
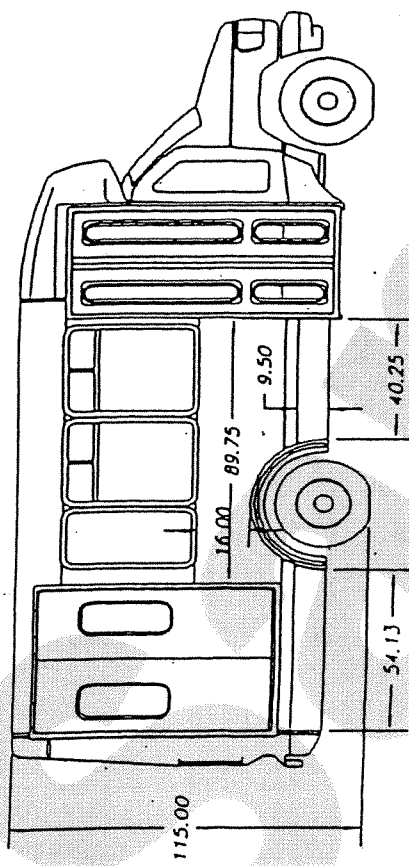
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3. Date of drawing 06/18/01

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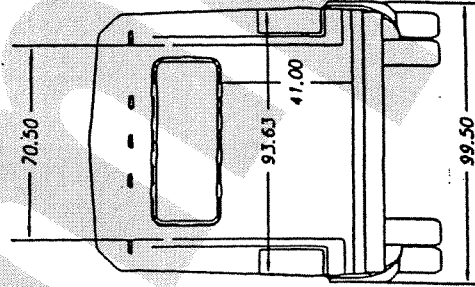
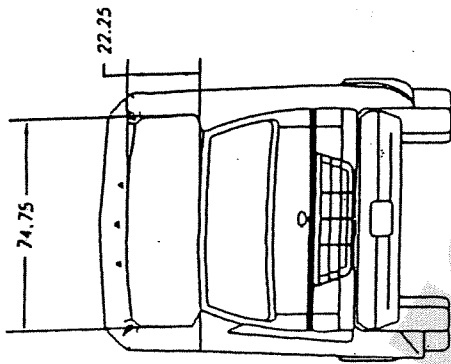
Plan View

ONE (1) FOURTEEN (14) PASSENGER MINI-BUS WITH WHEELCHAIR LIFT  
AND THREE (3) WHEELCHAIR POSITIONS, PLUS DRIVER as specified for



State of Hawaii  
 Department of Transportation  
 Statewide Transportation Planning Office  
 Side View

ONE (1) FOURTEEN (14) PASSENGER MINI-BUS WITH WHEELCHAIR LIFT  
 AND THREE (3) WHEELCHAIR POSITIONS, PLUS DRIVER as specified for



State of Hawaii  
 Department of Transportation  
 Statewide Transportation Planning Office  
 Front and Rear View

ONE (1) FOURTEEN (14) PASSENGER MINI-BUS WITH WHEELCHAIR LIFT  
 AND THREE (3) WHEELCHAIR POSITIONS, PLUS DRIVER as specified for

## A G R E E M E N T

THIS AGREEMENT, made this \_\_\_\_\_ day of \_\_\_\_\_, 2005, by and between the State of Hawaii, by its Director of Transportation, hereinafter called the "State," and the [Name of Recipient Organization](#), a private non-profit organization, whose business is [Address of Recipient Organization](#), hereinafter called the "Subrecipient";

### W I T N E S S E T H     T H A T:

WHEREAS, Section 16(b)(2) of the Urban Mass Transportation Act of 1964, as amended, provides for capital grants to private non-profit corporations and associations for the specific purpose of assisting them in providing transportation services meeting the special needs of elderly and disabled persons for whom mass transportation services are unavailable, insufficient, or inappropriate; and

WHEREAS, the Governor of the State of Hawaii, in accordance with a request by the United States Department of Transportation, Federal Transit Administration (hereinafter referred to as "FTA"), has designated the State Department of Transportation to evaluate and select projects proposed by private non-profit organizations and qualified government entities, and to coordinate the grant applications;

WHEREAS, the State and the Subrecipient desire to secure and utilize grant funds for the transportation needs

of the elderly and/or disabled citizens of the State of Hawaii;

NOW, THEREFORE, in consideration of the mutual covenants herein set forth, the State and the Subrecipient agree as follows:

Section 1. Purpose of Agreement. The purpose of this Agreement is to provide for the undertaking of transportation services to the elderly and/or disabled with FTA funded equipment (hereinafter referred to as the "Project") by the Subrecipient and to state the terms, conditions and mutual understandings of the parties as to the manner in which the Project will be undertaken and completed.

Section 2. Scope of Project. The Subrecipient shall undertake and use the Project as described in its Application, filed with and approved by the State and FTA, in accordance with the terms and conditions of this Agreement, Certifications and Assurances for FTA Assistance Programs, and applicable Federal, State and local requirements.

Section 3. Period of Performance. The Subrecipient shall undertake and use the Project until receiving approved disposition notice from the State.

Section 4. Cost of Project. The cost of the Project shall be in the amount indicated in the Project Contract, filed with and approved by the State and FTA, and shall be



borne in the manner described therein. The Subrecipient agrees that it will provide the local share for this project in cash from sources other than Federal funds or from Federal sources only when appropriate Federal legislation specifically authorizes its use as local share. The Subrecipient shall initiate and prosecute to completion all actions necessary to enable the Subrecipient to provide its share of the Project costs at or prior to the time that such funds are needed to meet the Project cost. The Subrecipient further agrees that no reduction of the amount so provided by the Subrecipient will be made unless there is at the same time a refund to the State of a proportional amount of the FTA grant funds.

Section 5. Purchase of Project. The purchase of the Project, financed in whole or in part, pursuant to this Agreement undertaken by the State or Subrecipient shall be in accordance with applicable Federal and State laws and requirements, and the standards set forth in OMB Revised Circular A-102.

Section 6. Title to Project. Title to the Project shall be in the Subrecipient, subject to the disposition of the Project.

Section 7. Use of Project. The Subrecipient agrees that the Project shall be used for the provision of transportation service to elderly and/or disabled persons in the manner described in the Application, and in accordance

with applicable Federal, State and local laws and requirements.

The Subrecipient shall immediately notify the State in all cases where the Project is used in a manner substantially different from that described in the Application. If, at any time, any Project is not used or is withdrawn from transportation service as described in the approved Application, the Subrecipient shall immediately notify the State, and with notice from the State the Subrecipient shall reimburse the State FTA's proportionate share, in accordance with FTA requirements.

The Subrecipient shall maintain the Project at a high level of mechanical soundness, cleanliness and safety.

The Subrecipient shall keep satisfactory records with regard to the use of the Project and submit to the State upon request such information as is required in order to assure compliance with FTA requirements.

The Subrecipient shall maintain, in amount and form satisfactory to the State, such insurance or self-insurance as will be adequate to protect the Project throughout the period of use under this Agreement.

The Subrecipient shall submit to the State at the beginning of each calendar year, a certification that the Project is still being used in accordance with the terms of the approved Application and FTA requirements.

The State and FTA shall have the right to conduct Subrecipient inspections and reviews for the purpose of confirming proper operation and maintenance pursuant of the Project, and management and financial procedures of the Subrecipient pursuant to the Application and FTA requirements.

Section 8. Contracts Under This Agreement. Unless otherwise authorized in writing by the State, the Subrecipient shall not assign any portion of the work to be performed under this Agreement, or execute any contract, amendment or change order thereto, or obligate itself in any manner with any third party with respect to its rights and responsibilities under this Agreement without the prior written concurrence of the State.

Section 9. Records and Reports. The Subrecipient shall advise the State regarding the progress of the Project at such times and in such manner as the State and FTA may deem necessary by, but not limited to, the submission of annual and quarterly reports and the holding of meetings.

The Subrecipient shall collect and submit to the State, at such time as it may require, such financial statements, data, records, contracts, and other documents related to the Project as may be deemed necessary by the State and FTA.

Section 10. Inspection. The Subrecipient shall permit the State, the Comptroller General of the United States and the Secretary of the United States Department of

Transportation, or their authorized representatives, to inspect Projects provided by FTA funds, and related vehicles, equipment, facilities and operations of the Subrecipient, transportation services rendered by the Subrecipients, and all relevant Project data and information records. The Subrecipient shall also permit the above named parties to review the books, records, and accounts of the Subrecipient pertaining to the Project.

Section 11. Termination.

- (a) For Convenience. The State may terminate the Project and cancel this Agreement should continuation of the Project not produce beneficial results.
- (b) For Cause. The State may, by giving a 30-day written notice to the Subrecipient, terminate the Project and cancel this Agreement for any of the following reasons:
  - (1) The Subrecipient discontinues the providing of transportation services as described in the approved Application;
  - (2) The Subrecipient does not comply with applicable Federal, State and local laws and requirements;
  - (3) The Subrecipient takes any action pertaining to this Agreement without the approval of the State and which under the procedures of this

Agreement would have required the approval of the State;

(4) The commencement, prosecution or use of the Project by the Subrecipient is, for any reason, rendered improbable, impossible or illegal; and

(5) The Subrecipient shall be in default under any provision of this Agreement.

(c) Action Upon Termination. Upon termination of the Project and cancellation of this Agreement under the provisions of paragraph (a) or (b) of this Section, the Subrecipient agrees to dispose of the Project in accordance with FTA procedures.

Section 12. Agreement Changes. Any amendments to this Agreement shall be pursuant to written agreement by the State and the Subrecipient.

Section 13. Interest of Members or Delegates to Congress. No member of or delegate to the Congress of the United States shall be admitted to any share or part of this Agreement, or to any benefit arising therefrom.

Section 14. Prohibited Interest. No member, officer, or employee of the Subrecipient during his tenure and for one year thereafter shall have monetary interest, direct or indirect, in this Agreement or the proceeds thereof.

Section 15. Equal Employment Opportunity. In connection with the performance of this Agreement, the Subrecipient shall not discriminate against any employee or

applicant for employment because of race, religion, color, sex, or national origin. Such actions shall include, but not be limited to the following: employment, upgrading, demotion, transfer, recruitment or advertisement; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

Section 16. Title VI - Civil Rights Act of 1964. The Subrecipient will comply with all the requirements imposed by Title VI of the Civil Rights Act of 1964 (78 Stat. 252), the Regulations of DOT issued thereunder (CFR Title 49, Subtitle A, Part 21), and the assurance by the Subrecipient pursuant thereto.

Section 17. Minority Business Enterprise. In connection with the performance of this Agreement, the Subrecipient will cooperate with the State in meeting the State's commitments and goals with regard to the maximum utilization of minority business enterprises and will use its best efforts to insure that minority business enterprises shall have the maximum practicable opportunity to compete for subcontract work under this Agreement.

Section 18. American With Disabilities Act. In connection with the performance of this Agreement, the Subrecipient must comply with CFR Title 49 Parts 27, 37, and 38 implementing the American With Disabilities Act and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C.

794, which prohibits discrimination on the basis of handicap.

Section 19. Certifications. In connection with the performance of this Agreement, the Subrecipient shall verify with the vendor that they have submitted all certifications in conjunction with the delivery currently required, including but not limited to: Bus Testing Certification, Buy America Certification, FMVSS Certification, Debarment Certification, Disadvantaged Business Enterprises Certification, and Lobbying Disclosure. The Subrecipient shall notify the State of any discrepancies.

Section 20. Procurement. Projects procured by the Subrecipient under this Agreement shall have a State approved procurement program and process pursuant to HRS 103-D and FTA Third Party Contracting requirements.

Section 21. Indemnification Agreement. The Subrecipient shall hold harmless, indemnify, defend and where appropriate, insure the State, its officers, agents, representatives, successors and assigns, and other governmental agencies from any and all suits or actions of every nature and kind which may be brought for or on account of any injury, death, or damage arising or growing out of the acts or omissions of the Subrecipient, its officers, agents, servants, or employees, related to or connected with Subrecipient's performance under this Agreement.

It is not the intention of the parties to this Agreement to make the public or any member thereof a third party beneficiary hereunder, or to authorize anyone not a party hereto to maintain a suit for personal injuries or property damage based on a contract theory of liability.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

APPROVED AS TO FORM:

STATE OF HAWAII

\_\_\_\_\_  
Deputy Attorney General

By

\_\_\_\_\_  
[RODNEY K. HARAGA](#)  
Director of Transportation



Name of Recipient Organization

By \_\_\_\_\_

Its \_\_\_\_\_

Notary acknowledgement for the  
Name of Recipient Organization

## **FEDERAL FISCAL YEAR 2005 CERTIFICATIONS AND ASSURANCES FOR FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

*In accordance with 49 U.S.C. 5323(n), the following certifications and assurances have been compiled for Federal Transit Administration (FTA) assistance programs. FTA requests each Applicant to provide as many certifications and assurances as needed for all programs for which the Applicant intends to seek FTA assistance during Federal Fiscal Year 2005.*

*Sixteen (16) Categories of certifications and assurances are listed by numbers 01 through 16 in the TEAM-Web "Recipients" option at the "Cert's & Assurances" tab of "View/Modify Recipients." Category 01 applies to all Applicants. Category 02 applies to all applications exceeding \$100,000. Categories (3) through 16 will apply to and be required for some, but not all, Applicants and projects.*

*FTA and the Applicant understand and agree that not every provision of these certifications and assurances will apply to every Applicant or every Project for which FTA provides Federal financial assistance through a grant agreement or cooperative agreement. The type of Project and the section of the statute authorizing Federal financial assistance for the Project will determine which requirements apply. The Applicant also understands and agrees that these certifications and assurances are pre-award requirements and do not encompass all statutory and regulatory requirements that may apply to the Applicant or its Project. A comprehensive list of those requirements is contained in the current Master Agreement MA(11) for Federal Fiscal Year 2005 at [http://www.fta.dot.gov/16000\\_16002\\_ENG\\_HTML.htm](http://www.fta.dot.gov/16000_16002_ENG_HTML.htm).*

### **01. REQUIRED OF EACH APPLICANT**

*Each Applicant for FTA assistance must provide all certifications and assurances in this Category "01." FTA may not award any Federal assistance until the Applicant provides these certifications and assurances by selecting Category "01."*

#### **A. Authority of Applicant and Its Representative**

The authorized representative of the Applicant and the attorney who sign these certifications, assurances, and agreements affirm that both the Applicant and its authorized representative have adequate authority under applicable state and local law and the Applicant's by-laws or internal rules to:

- (1) Execute and file the application for Federal assistance on behalf of the Applicant;
- (2) Execute and file the required certifications, assurances, and agreements on behalf of the Applicant binding the Applicant; and
- (3) Execute grant agreements and cooperative agreements with FTA on behalf of the Applicant.

## B. Standard Assurances

The Applicant assures that it will comply with all applicable Federal statutes, regulations, executive orders, FTA circulars, and other Federal requirements in carrying out any project supported by an FTA grant or cooperative agreement. The Applicant agrees that it is under a continuing obligation to comply with the terms and conditions of the grant agreement or cooperative agreement issued for its project with FTA. The Applicant recognizes that Federal laws, regulations, policies, and administrative practices may be modified from time to time and those modifications may affect project implementation. The Applicant agrees that the most recent Federal requirements will apply to the project, unless FTA issues a written determination otherwise.

## C. Intergovernmental Review Assurance

The Applicant assures that each application for Federal assistance it submits to FTA has been or will be submitted, as required by each state, for intergovernmental review to the appropriate state and local agencies. Specifically, the Applicant assures that it has fulfilled or will fulfill the obligations imposed on FTA by U.S. DOT regulations, "Intergovernmental Review of Department of Transportation Programs and Activities," 49 CFR part 17.

## D. Nondiscrimination Assurance

As required by 49 U.S.C. 5332 (which prohibits discrimination on the basis of race, color, creed, national origin, sex, or age, and prohibits discrimination in employment or business opportunity), Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d, and U.S. DOT regulations, "Nondiscrimination in Federally-Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act," 49 CFR part 21 at 21.7, the Applicant assures that it will comply with all requirements of 49 CFR part 21; FTA Circular 4702.1, "Title VI Program Guidelines for Federal Transit Administration Recipients," and other applicable directives, so that no person in the United States, on the basis of race, color, national origin, creed, sex, or age will be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination in any program or activity (particularly in the level and quality of transportation services and transportation-related benefits) for which the Applicant receives Federal assistance awarded by the U.S. DOT or FTA.

Specifically, during the period in which Federal assistance is extended to the project, or project property is used for a purpose for which the Federal assistance is extended, or for another purpose involving the provision of similar services or benefits, or as long as the Applicant retains ownership or possession of the project property, whichever is longer, the Applicant assures that:

- (1) Each project will be conducted, property acquisitions will be undertaken, and project facilities will be operated in accordance with all applicable requirements of 49 U.S.C. 5332 and 49 CFR part 21, and understands that this assurance extends to its entire facility and to facilities operated in connection with the project.
- (2) It will promptly take the necessary actions to effectuate this assurance, including notifying the public that complaints of discrimination in the provision of transportation-related services

or benefits may be filed with U.S. DOT or FTA. Upon request by U.S. DOT or FTA, the Applicant assures that it will submit the required information pertaining to its compliance with these requirements.

- (3) It will include in each subagreement, property transfer agreement, third party contract, third party subcontract, or participation agreement adequate provisions to extend the requirements of 49 U.S.C. 5332 and 49 CFR part 21 to other parties involved therein including any subrecipient, transferee, third party contractor, third party subcontractor at any level, successor in interest, or any other participant in the project.
- (4) Should it transfer real property, structures, or improvements financed with Federal assistance provided by FTA to another party, any deeds and instruments recording the transfer of that property shall contain a covenant running with the land assuring nondiscrimination for the period during which the property is used for a purpose for which the Federal assistance is extended or for another purpose involving the provision of similar services or benefits.
- (5) The United States has a right to seek judicial enforcement with regard to any matter arising under the Act, regulations, and this assurance.
- (6) It will make any changes in its 49 U.S.C. 5332 and Title VI implementing procedures as U.S. DOT or FTA may request.

#### E. Assurance of Nondiscrimination on the Basis of Disability

As required by U.S. DOT regulations, "Nondiscrimination on the Basis of Handicap in Programs and Activities Receiving or Benefiting from Federal Financial Assistance," at 49 CFR 27.9, the Applicant assures that, as a condition to the approval or extension of any Federal assistance awarded by FTA to construct any facility, obtain any rolling stock or other equipment, undertake studies, conduct research, or to participate in or obtain any benefit from any program administered by FTA, no otherwise qualified person with a disability shall be, solely by reason of that disability, excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in any program or activity receiving or benefiting from Federal assistance administered by the FTA or any entity within U.S. DOT. The Applicant assures that project implementation and operations so assisted will comply with all applicable requirements of U.S. DOT regulations implementing the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, *et seq.*, and the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. 12101 *et seq.*, and implementing U.S. DOT regulations at 49 CFR parts 27, 37, and 38, and any applicable regulations and directives issued by other Federal departments or agencies.

#### F. Procurement Compliance Certification

The Applicant certifies that its procurements and procurement system will comply with all applicable third party procurement requirements of Federal laws, executive orders, regulations, and FTA directives, and requirements, as amended and revised, and other requirements FTA may issue including FTA Circular 4220.1E, "Third Party Contracting Requirements," and any revisions thereto, to the extent those requirements are applicable. The Applicant certifies that it will include in its contracts financed in whole or in part with FTA assistance all clauses required by Federal laws, executive orders, or regulations, and will ensure that each subrecipient and each contractor will also include in its subagreements and its contracts financed in whole or in part

with FTA assistance all applicable clauses required by Federal laws, executive orders, or regulations.

G. Certifications and Assurances Required by the U.S. Office of Management and Budget (OMB) (SF-424B and SF-424D)

As required by OMB, the Applicant certifies that it:

- (1) Has the legal authority to apply for Federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay the non-Federal share of project cost) to ensure proper planning, management, and completion of the project described in its application;
- (2) Will give FTA, the Comptroller General of the United States, and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives;
- (3) Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain;
- (4) Will initiate and complete the work within the applicable project time periods following receipt of FTA approval;
- (5) Will comply with all applicable Federal statutes relating to nondiscrimination including, but not limited to:
  - (a) Title VI of the Civil Rights Act, 42 U.S.C. 2000d, which prohibits discrimination on the basis of race, color, or national origin;
  - (b) Title IX of the Education Amendments of 1972, as amended, 20 U.S.C. 1681 through 1683, and 1685 through 1687, and U.S. DOT regulations, "Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance," 49 CFR part 25, which prohibit discrimination on the basis of sex;
  - (c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794, which prohibits discrimination on the basis of handicap;
  - (d) The Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101 through 6107, which prohibits discrimination on the basis of age;
  - (e) The Drug Abuse Office and Treatment Act of 1972, Pub. L. 92-255, March 21, 1972, and amendments thereto, 21 U.S.C. 1174 *et seq.* relating to nondiscrimination on the basis of drug abuse;
  - (f) The Comprehensive Alcohol Abuse and Alcoholism Prevention Act of 1970, Pub. L. 91-616, Dec. 31, 1970, and amendments thereto, 42 U.S.C. 4581 *et seq.* relating to nondiscrimination on the basis of alcohol abuse or alcoholism;
  - (g) The Public Health Service Act of 1912, as amended, 42 U.S.C. 290dd-3 and 290ee-3, related to confidentiality of alcohol and drug abuse patient records;
  - (h) Title VIII of the Civil Rights Act, 42 U.S.C. 3601 *et seq.*, relating to nondiscrimination in the sale, rental, or financing of housing;
  - (i) Any other nondiscrimination provisions in the specific statutes under which Federal assistance for the project may be provided including, but not limited, to 49 U.S.C. 5332, which prohibits discrimination on the basis of race, color, creed, national origin, sex, or

age, and prohibits discrimination in employment or business opportunity, and section 1101(b) of the Transportation Equity Act for the 21st Century, 23 U.S.C. 101 note, which provides for participation of disadvantaged business enterprises in FTA programs; and

- (j) Any other nondiscrimination statute(s) that may apply to the project;
- (6) Will comply with, or has complied with, the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (Uniform Relocation Act) 42 U.S.C. 4601 *et seq.*, which, among other things, provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in any purchase. As required by sections 210 and 305 of the Uniform Relocation Act, 42 U.S.C. 4630 and 4655, and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR 24.4, the Applicant assures that it has the requisite authority under applicable state and local law to comply with the requirements of the Uniform Relocation Act, 42 U.S.C. 4601 *et seq.*, and U.S. DOT regulations, "Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs," 49 CFR part 24, and will comply with or has complied with that Act and those U.S. DOT implementing regulations, including but not limited to the following:
  - (a) The Applicant will adequately inform each affected person of the benefits, policies, and procedures provided for in 49 CFR part 24;
  - (b) The Applicant will provide fair and reasonable relocation payments and assistance as required by 42 U.S.C. 4622, 4623, and 4624; 49 CFR part 24; and any applicable FTA procedures, to or for families, individuals, partnerships, corporations, or associations displaced as a result of any project financed with FTA assistance;
  - (c) The Applicant will provide relocation assistance programs offering the services described in 42 U.S.C. 4625 to such displaced families, individuals, partnerships, corporations, or associations in the manner provided in 49 CFR part 24 and FTA procedures;
  - (d) Within a reasonable time before displacement, the Applicant will make available comparable replacement dwellings to displaced families and individuals as required by 42 U.S.C. 4625(c)(3);
  - (e) The Applicant will carry out the relocation process in such manner as to provide displaced persons with uniform and consistent services, and will make available replacement housing in the same range of choices with respect to such housing to all displaced persons regardless of race, color, religion, or national origin;
  - (f) In acquiring real property, the Applicant will be guided to the greatest extent practicable under state law, by the real property acquisition policies of 42 U.S.C. 4651 and 4652;
  - (g) The Applicant will pay or reimburse property owners for necessary expenses as specified in 42 U.S.C. 4653 and 4654, with the understanding that FTA will provide Federal financial assistance for the Applicant's eligible costs of providing payments for those expenses, as required by 42 U.S.C. 4631;
  - (h) The Applicant will execute such amendments to third party contracts and subagreements financed with FTA assistance and execute, furnish, and be bound by such additional documents as FTA may determine necessary to effectuate or implement the assurances provided herein; and

- (i) The Applicant agrees to make these assurances part of or incorporate them by reference into any third party contract or subagreement, or any amendments thereto, relating to any project financed by FTA involving relocation or land acquisition and provide in any affected document that these relocation and land acquisition provisions shall supersede any conflicting provisions;
- (7) To the extent applicable, will comply with the Davis-Bacon Act, as amended, 40 U.S.C. 3141 *et seq.*, the Copeland "Anti-Kickback" Act, as amended, 18 U.S.C. 874, and the Contract Work Hours and Safety Standards Act, as amended, 40 U.S.C. 3701 *et seq.*, regarding labor standards for federally assisted subagreements;
- (8) To the extent applicable, will comply with the flood insurance purchase requirements of section 102(a) of the Flood Disaster Protection Act of 1973, as amended, 42 U.S.C. 4012a(a), requiring the Applicant and its subrecipients in a special flood hazard area to participate in the program and purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more;
- (9) Will comply with the Lead-Based Paint Poisoning Prevention Act, 42 U.S.C. 4831(b), which prohibits the use of lead-based paint in the construction or rehabilitation of residence structures;
- (10) Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities on which a construction project supported with FTA assistance takes place without permission and instructions from the awarding agency;
- (11) To the extent required by FTA, will record the Federal interest in the title of real property and will include a covenant in the title of real property acquired in whole or in part with Federal assistance funds to assure nondiscrimination during the useful life of the project;
- (12) Will comply with FTA requirements concerning the drafting, review, and approval of construction plans and specifications of any construction project supported with FTA assistance. As required by U.S. DOT regulations, "Seismic Safety," 49 CFR 41.117(d), before accepting delivery of any building financed with FTA assistance, it will obtain a certificate of compliance with the seismic design and construction requirements of 49 CFR part 41;
- (13) Will provide and maintain competent and adequate engineering supervision at the construction site of any project supported with FTA assistance to ensure that the complete work conforms with the approved plans and specifications, and will furnish progress reports and such other information as may be required by FTA or the state;
- (14) Will comply with any applicable environmental standards that may be prescribed to implement the following Federal laws and executive orders:
  - (a) Institution of environmental quality control measures under the National Environmental Policy Act of 1969, as amended, 42 U.S.C. 4321-4335 and Executive Order No. 11514, as amended, 42 U.S.C. 4321 note;
  - (b) Notification of violating facilities pursuant to Executive Order No. 11738, 42 U.S.C. 7606 note;
  - (c) Protection of wetlands pursuant to Executive Order No. 11990, 42 U.S.C. 4321 note;
  - (d) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988, 42 U.S.C. 4321 note;
  - (e) Assurance of project consistency with the approved state management program developed pursuant to the requirements of the Coastal Zone Management Act of 1972,

- as amended, 16 U.S.C. 1451-1465;
- (f) Conformity of Federal actions to State (Clean Air) Implementation Plans under section 176(c) of the Clean Air Act of 1955, as amended, 42 U.S.C. 7401-7671q;
  - (g) Protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, 42 U.S.C. 300f-300j-6;
  - (h) Protection of endangered species under the Endangered Species Act of 1973, as amended, 16 U.S.C. 1531-1544; and
  - (i) Environmental protections for Federal transportation programs, including, but not limited to, protections for parks, recreation areas, or wildlife or waterfowl refuges of national, state, or local significance or any land from a historic site of national, state, or local significance to be used in a transportation project as required by 49 U.S.C. 303(b) and (c);
  - (j) Protection of the components of the national wild and scenic rivers systems, as required under the Wild and Scenic Rivers Act of 1968, as amended, 16 U.S.C. 1271-1287; and
  - (k) Provision of assistance to FTA in complying with section 106 of the National Historic Preservation Act of 1966, as amended, 16 U.S.C. 470f; the Archaeological and Historic Preservation Act of 1974, as amended, 16 U.S.C. 469-469c; and Executive Order No. 11593 (identification and protection of historic properties), 16 U.S.C. 470 note;
- (15) To the extent applicable, will comply with the requirements of the Hatch Act, 5 U.S.C. 1501 through 1508, and 7324 through 7326, which limit the political activities of state and local agencies and their officers and employees whose primary employment activities are financed in whole or part with Federal funds including a Federal loan, grant agreement, or cooperative agreement except, in accordance with 23 U.S.C. 142(g), the Hatch Act does not apply to a nonsupervisory employee of a transit system (or of any other agency or entity performing related functions) receiving FTA assistance to whom that Act does not otherwise apply;
- (16) Will comply with the National Research Act, Pub. L. 93-348, July 12, 1974, as amended, 42 U.S.C. 289 *et seq.*, and U.S. DOT regulations, "Protection of Human Subjects," 49 CFR part 11, regarding the protection of human subjects involved in research, development, and related activities supported by Federal assistance;
- (17) Will comply with the Laboratory Animal Welfare Act of 1966, as amended, 7 U.S.C. 2131 *et seq.*, and U.S. Department of Agriculture regulations, "Animal Welfare," 9 CFR subchapter A, parts 1, 2, 3, and 4, regarding the care, handling, and treatment of warm blooded animals held or used for research, teaching, or other activities supported by Federal assistance;
- (18) Will have performed the financial and compliance audits as required by the Single Audit Act Amendments of 1996, 31 U.S.C. 7501 *et seq.*, OMB Circular No. A-133, "Audits of States, Local Governments, and Non-Profit Organizations," Revised, and the most recent applicable OMB A-133 Compliance Supplement provisions for the Department of Transportation; and
- (19) Will comply with all applicable requirements of all other Federal laws, executive orders, regulations, and policies governing the project.

## **02. LOBBYING**

*An Applicant that submits or intends to submit an application for Federal assistance exceeding*



*\$100,000 must provide the following certification. FTA may not award Federal assistance exceeding \$100,000 until the Applicant provides this certification by selecting Category "02."*

- A. As required by U.S. DOT regulations, "New Restrictions on Lobbying," at 49 CFR 20.110, the Applicant's authorized representative certifies to the best of his or her knowledge and belief that for each application for Federal assistance exceeding \$100,000:
  - (1) No Federal appropriated funds have been or will be paid by or on behalf of the Applicant to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress regarding the award of Federal assistance, or the extension, continuation, renewal, amendment, or modification of any Federal assistance agreement; and
  - (2) If any funds other than Federal appropriated funds have been or will be paid to any person to influence or attempt to influence an officer or employee of any Federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any application for Federal assistance, the Applicant assures that it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," including information required by the instructions accompanying the form, which form may be amended to omit such information as authorized by 31 U.S.C. 1352.
  - (3) The language of this certification shall be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements).
- B. The Applicant understands that this certification is a material representation of fact upon which reliance is placed and that submission of this certification is a prerequisite for providing Federal assistance for a transaction covered by 31 U.S.C. 1352. The Applicant also understands that any person who fails to file a required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

### **03. PRIVATE MASS TRANSPORTATION COMPANIES**

*A state or local government Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 to acquire the property or an interest in the property of a private mass transportation company or to operate mass transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing mass transportation company must provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category "03."*

As required by 49 U.S.C. 5323(a)(1), the Applicant certifies that before it acquires the property or an interest in the property of a private mass transportation company or operates mass transportation equipment or facilities in competition with, or in addition to, transportation service provided by an existing mass transportation company, it has or will have:

- A. Found that the assistance is essential to carrying out a program of projects as determined by the plans and programs of the metropolitan planning organization;
- B. Provided for the participation of private mass transportation companies to the maximum extent feasible consistent with applicable FTA requirements and policies;

- C. Paid just compensation under state or local law to a private mass transportation company for its franchises or property acquired; and
- D. Acknowledged that the assistance falls within the labor standards compliance requirements of 49 U.S.C. 5333(a) and 5333(b).

#### **04. PUBLIC HEARING**

*An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 for a capital project that will substantially affect a community or a community's mass transportation service must provide the following certification. FTA may not award Federal assistance for that type of project until the Applicant provides this certification by selecting Category "04."*

As required by 49 U.S.C. 5323(b), the Applicant certifies that it has, or before submitting its application, it will have:

- A. Provided an adequate opportunity for a public hearing with adequate prior notice of the proposed project published in a newspaper of general circulation in the geographic area to be served;
- B. Held that hearing and provided FTA a transcript or detailed report summarizing the issues and responses, unless no one with a significant economic, social, or environmental interest requests a hearing;
- C. Considered the economic, social, and environmental effects of the proposed project; and
- D. Determined that the proposed project is consistent with official plans for developing the urban area.

#### **05. ACQUISITION OF ROLLING STOCK**

*An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 to acquire any rolling stock must provide the following certification. FTA may not award any Federal assistance to acquire such rolling stock until the Applicant provides this certification by selecting Category "05."*

As required by 49 U.S.C. 5323(m) and implementing FTA regulations at 49 CFR 663.7, the Applicant certifies that it will comply with the requirements of 49 CFR part 663 when procuring revenue service rolling stock. Among other things, the Applicant agrees to conduct or cause to be conducted the requisite pre-award and post-delivery reviews, and maintain on file the certifications required by 49 CFR part 663, subparts B, C, and D.

#### **06. BUS TESTING**

*An Applicant for Federal assistance appropriated or made available for 49 U.S.C. chapter 53 to acquire any new bus model or any bus model with a new major change in configuration or components must provide the following certification. FTA may not provide assistance for the acquisition of new buses until the Applicant provides this certification by selecting Category "06."*

As required by FTA regulations, "Bus Testing," at 49 CFR 665.7, the Applicant certifies that before expending any Federal assistance to acquire the first bus of any new bus model or any bus model with a new major change in configuration or components, or before authorizing final acceptance of that bus (as described in 49 CFR part 665), the bus model:

- A. Will have been tested at a bus testing facility approved by FTA; and
- B. Will have received a copy of the test report prepared on the bus model.

## **07. CHARTER SERVICE AGREEMENT**

*An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or by Title 23, U.S.C. to acquire or operate any mass transportation equipment or facilities must enter into the following Charter Service Agreement. FTA may not provide assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. for projects until the Applicant enters into this Charter Service Agreement by selecting Category "07."*

- A. As required by 49 U.S.C. 5323(d) and FTA regulations, "Charter Service," at 49 CFR 604.7, the Applicant agrees that it and each of its subrecipients and third party contractors at each tier will:
  - (1) Provide charter service that uses equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C., only to the extent that there are no private charter service operators willing and able to provide the charter service that it or its subrecipients or third party contractors desire to provide, unless one or more of the exceptions in 49 CFR 604.9 applies; and
  - (2) Comply with the requirements of 49 CFR part 604 before providing any charter service using equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 (except 49 U.S.C. 5310), or Title 23, U.S.C. for transportation projects.
- B. As The Applicant understands that:
  - (1) The requirements of 49 CFR part 604 will apply to any charter service it or its subrecipients or third party contractors provide,
  - (2) The definitions of 49 CFR part 604 will apply to this Charter Service Agreement, and
  - (3) A violation of this Charter Service Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

## **08. SCHOOL TRANSPORTATION AGREEMENT**

*An Applicant seeking Federal assistance authorized by 49 U.S.C. chapter 53 or by Title 23, U.S.C. to acquire or operate transportation facilities and equipment must enter into the following School Transportation Agreement. FTA may not provide assistance for such projects until the Applicant enters into this agreement by selecting Category "08."*

- A. As required by 49 U.S.C. 5323(f) and FTA implementing regulations, at 49 CFR 605.14, the Applicant agrees that it and each of its subrecipients and third party contractors at each tier will:

- (1) Engage in school transportation operations in competition with private school transportation operators only to the extent permitted by 49 U.S.C. 5323(f), and Federal regulations; and
  - (2) Comply with the requirements of 49 CFR part 605 before providing any school transportation using equipment or facilities acquired with Federal assistance authorized by 49 U.S.C. chapter 53 or Title 23 U.S.C. for transportation projects.
- B. As The Applicant understands that:
- (1) The requirements of 49 CFR part 605 will apply to any school transportation service it provides,
  - (2) The definitions of 49 CFR part 605 will apply to this School Transportation Agreement, and
  - (3) A violation of this School Transportation Agreement may require corrective measures and imposition of penalties, including debarment from the receipt of further Federal assistance for transportation.

## **09. DEMAND RESPONSIVE SERVICE**

*An Applicant that operates demand responsive service and applies for direct Federal assistance authorized for 49 U.S.C. chapter 53 to acquire non-rail mass transportation vehicles is required to provide the following certification. FTA may not award direct Federal assistance authorized for 49 U.S.C. chapter 53 to an Applicant that operates demand responsive service to acquire non-rail mass transportation vehicles until the Applicant provides this certification by selecting Category "09."*

As required by U.S. DOT regulations, "Transportation Services for Individuals with Disabilities (ADA)," at 49 CFR 37.77(d), the Applicant certifies that its demand responsive service offered to persons with disabilities, including persons who use wheelchairs, is equivalent to the level and quality of service offered to persons without disabilities. When the Applicant's service is viewed in its entirety, the Applicant's service for persons with disabilities is provided in the most integrated setting feasible and is equivalent with respect to: (1) response time, (2) fares, (3) geographic service area, (4) hours and days of service, (5) restrictions on trip purpose, (6) availability of information and reservation capability, and (7) constraints on capacity or service availability.

## **10. ALCOHOL MISUSE AND PROHIBITED DRUG USE**

*If the Applicant is required to provide the following certification concerning its activities to prevent alcohol misuse and prohibited drug use in its transit operations, FTA may not provide Federal assistance to that Applicant until it provides this certification by selecting Category "10."*

As required by FTA regulations, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations," at 49 CFR part 655, subpart I, the Applicant certifies that it has established and implemented an alcohol misuse and anti-drug program, and has complied with or will comply with all applicable requirements of FTA regulations, "Prevention of Alcohol Misuse and

Prohibited Drug Use in Transit Operations,” 49 CFR part 655.

## **11. INTEREST AND OTHER FINANCING COSTS**

*An Applicant that intends to request the use of Federal assistance for reimbursement of interest or other financing costs incurred for its capital projects must provide the following certification. FTA may not provide assistance to support those costs until the Applicant provides this certification by selecting Category "11."*

In compliance with 49 U.S.C. 5307(g), 49 U.S.C. 5309(g)(2)(B), 49 U.S.C. 5309(g)(3)(A), and 49 U.S.C. 5309(n), the Applicant certifies that it will not seek reimbursement for interest and other financing costs unless its records demonstrate that it has used reasonable diligence in seeking the most favorable financing terms underlying those costs, to the extent FTA may require.

## **12. INTELLIGENT TRANSPORTATION SYSTEMS**

*An Applicant for FTA assistance for an Intelligent Transportation Systems (ITS) project, defined as any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the “National ITS Architecture,” must provide the following assurance. FTA may not award any Federal assistance for an ITS project until the Applicant provides this assurance by selecting Category "12."*

As used in this assurance, the term Intelligent Transportation Systems (ITS) project is defined to include any project that in whole or in part finances the acquisition of technologies or systems of technologies that provide or significantly contribute to the provision of one or more ITS user services as defined in the “National ITS Architecture.”

- A. In accordance with section 5206(e) of TEA-21, 23 U.S.C. 502 note, the Applicant assures it will comply with all applicable requirements of Section V (Regional ITS Architecture and Section VI (Project Implementation) of FTA Notice, “FTA National ITS Architecture Policy on Transit Projects,” at 66 *Fed. Reg.* 1455 *et seq.*, January 8, 2001, and other FTA requirements that may be issued in connection with any ITS project it undertakes financed with Highway Trust Funds (including funds from the mass transit account) or funds made available for the Intelligent Transportation Systems Program authorized by TEA-21, title V, subtitle C, 23 U.S.C. 502 note.
- B. With respect to any ITS project financed with Federal assistance derived from a source other than Highway Trust Funds (including funds from the Mass Transit Account) or TEA-21, title V, subtitle C, 23 U.S.C. 502 note, the Applicant assures that it will use its best efforts to ensure that any ITS project it undertakes will not preclude interface with other intelligent transportation systems in the Region.

## **13. URBANIZED AREA, JARC, AND CLEAN FUELS PROGRAMS**

*Each Applicant for Urbanized Area Formula Program assistance authorized by 49 U.S.C. 5307,*

*each Applicant for Job Access and Reverse Commute Program assistance authorized by section 3037 of the Transportation Equity Act for the 21<sup>st</sup> Century, 49 U.S.C. 5309 note, and each Applicant for Clean Fuels Formula Program assistance authorized by 49 U.S.C. 5308 must provide the following certifications. FTA may not award Federal assistance for those programs until the Applicant provides these certifications and assurances by selecting Category "13." A state or other Applicant providing certifications and assurances that require the compliance of its prospective subrecipients is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances.*

*Each Applicant that received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1) must list the projects carried out during that Federal fiscal year with those funds in its quarterly report for the fourth quarter of the preceding Federal fiscal year. That list constitutes the report of transit enhancement projects carried out during that fiscal year, which report is required to be submitted as part of the Applicant's annual certifications and assurances, in accordance with 49 U.S.C. 5307(k)(3), and is therefore incorporated by reference and made part of the Applicant's annual certifications and assurances. FTA may not award Urbanized Area Formula Program assistance to any Applicant that has received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1), unless that Applicant's quarterly report for the fourth quarter of the preceding Federal fiscal year has been submitted to FTA and includes the requisite list.*

#### A. Certifications Required for the Urbanized Area Formula Program

- (1) As required by 49 U.S.C. 5307(d)(1)(A) through (J), the Applicant certifies and assures as follows:
  - (a) It has or will have the legal, financial, and technical capacity to carry out the proposed program of projects;
  - (b) It has or will have satisfactory continuing control over the use of Project equipment and facilities;
  - (c) It will adequately maintain the equipment and facilities;
  - (d) It will ensure that elderly and handicapped persons, or any person presenting a Medicare card issued to himself or herself pursuant to title II or title XVIII of the Social Security Act (42 U.S.C. 401 *et seq.* or 42 U.S.C. 1395 *et seq.*), will be charged for transportation during non-peak hours using or involving a facility or equipment of a project financed with Federal assistance authorized for 49 U.S.C. 5307, or for the Job Access and Reverse Commute Program at section 3037 of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), 49 U.S.C. 5309 note, not more than fifty (50) percent of the peak hour fare;
  - (e) In carrying out a procurement financed with Federal assistance authorized for the Urbanized Area Formula Program, 49 U.S.C. 5307, or the Job Access and Reverse Commute Program, section 3037 of TEA-21, 49 U.S.C. 5309 note, it: (1) will use competitive procurement (as defined or approved by the Secretary), (2) will not use exclusionary or discriminatory specifications, and (3) will comply with applicable Buy America laws;
  - (f) It has complied with or will comply with the requirements of 49 U.S.C. 5307(c). Specifically, it: (1) has made available, or will make available, to the public information on the amounts available for the Urbanized Area Formula Program, 49 U.S.C. 5307 and,

if applicable, the Job Access and Reverse Commute Grant Program, 49 U.S.C. 5309 note, and the program of projects it proposes to undertake; (2) has developed or will develop, in consultation with interested parties including private transportation providers, a proposed program of projects for activities to be financed; (3) has published or will publish a proposed program of projects in a way that affected citizens, private transportation providers, and local elected officials have the opportunity to examine the proposed program and submit comments on the proposed program and the performance of the Applicant; (4) has provided or will provide an opportunity for a public hearing to obtain the views of citizens on the proposed program of projects; (5) has ensured or will ensure that the proposed program of projects provides for the coordination of transportation services assisted under 49 U.S.C. 5336 with transportation services assisted by another Federal Government source; (6) has considered or will consider the comments and views received, especially those of private transportation providers, in preparing its final program of projects; and (7) has made or will make the final program of projects available to the public;

- (g) It has or will have available and will provide the amount of funds required by 49 U.S.C. 5307(e) and applicable FTA policy (specifying Federal and local shares of project costs);
  - (h) It will comply with: 49 U.S.C. 5301(a) (requirements for transportation systems that maximize mobility and minimize fuel consumption and air pollution); 49 U.S.C. 5301(d) (requirements for transportation of the elderly and persons with disabilities); 49 U.S.C. 5303 through 5306 (planning requirements); and 49 U.S.C. 5301(d) (special efforts to design and provide mass transportation for the elderly and persons with disabilities);
  - (i) It has a locally developed process to solicit and consider public comment before raising fares or implementing a major reduction of transportation; and
  - (j) As required by 49 U.S.C. 5307(d)(1)(J), each fiscal year, the Applicant will spend at least one (1) percent of its funds authorized by 49 U.S.C. § 5307 for transit security projects (this includes only capital projects in the case of a Applicant serving an urbanized area with a population of 200,000 or more), unless the Applicant has certified to FTA that such expenditures are not necessary and FTA accepts that certification. Transit security projects include increased lighting in or adjacent to a transit system (including bus stops, subway stations, parking lots, and garages), increased camera surveillance of an area in or adjacent to that system, emergency telephone line or lines to contact law enforcement or security personnel in an area in or adjacent to that system, and any other project intended to increase the security and safety of an existing or planned transit system.
- (2) As required by 49 U.S.C. 5307(k)(3), if it has received Transit Enhancement funds authorized by 49 U.S.C. 5307(k)(1), its quarterly report for the fourth quarter of the preceding Federal fiscal year includes a list of the projects it has implemented during that fiscal year using those funds, and that report is incorporated by reference and made part of its certifications and assurances.

#### B. Certification Required for Capital Leasing

As required by FTA regulations, "Capital Leases," at 49 CFR 639.15(b)(1) and 49 CFR 639.21, if the Applicant acquires any capital asset by lease financed with Federal assistance authorized

for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, the Applicant certifies as follows:

- (1) It will not use Federal assistance authorized for 49 U.S.C. 5307 or section 3037 of TEA-21, 49 U.S.C. 5309 note, to finance the cost of leasing any capital asset until it performs calculations demonstrating that leasing the capital asset would be more cost-effective than purchasing or constructing a similar asset;
- (2) It will complete these calculations before entering into the lease or before receiving a capital grant for the asset, whichever is later; and
- (3) It will not enter into a capital lease for which FTA can provide only incremental Federal assistance unless it has adequate financial resources to meet its future obligations under the lease in the event Federal assistance is not available for capital projects in subsequent years.

#### C. Certification Required for the Sole Source Acquisition of an Associated Capital Maintenance Item

As required by 49 U.S.C. 5325(c), the Applicant certifies that when it procures an associated capital maintenance item as authorized by 49 U.S.C. 5307(b)(1), it will use competition, unless the original manufacturer or supplier of the item is the only source for that item and the price of that item is no more than the price similar customers pay for that item, and that for each such procurement, it will maintain sufficient records on file and easily retrievable for inspection by FTA.

#### D. Clean Fuels Formula Grant Program Certification

As required by 49 U.S.C. 5308(c)(2), the Applicant certifies that vehicles financed with Federal assistance provided for the Clean Fuels Formula Program, 49 U.S.C. 5308, will be operated only with clean fuels.

### **14. ELDERLY AND PERSONS WITH DISABILITIES PROGRAM**

*An Applicant that intends to administer the Elderly and Persons with Disabilities Program on behalf of a state must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances. FTA may not award assistance for the Elderly and Persons with Disabilities Program until the Applicant provides these certifications and assurances by selecting Category "14."*

The Applicant administering, on behalf of the state, the Elderly and Persons with Disabilities Program authorized by 49 U.S.C. 5310 certifies and assures that the following requirements and conditions will be fulfilled:

- A. The state organization serving as the Applicant and each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5310; and to implement and manage the project.
- B. The state assures that each subrecipient either is recognized under state law as a private



nonprofit organization with the legal capability to contract with the state to carry out the proposed project, or is a public body that has met the statutory requirements to receive Federal assistance authorized for 49 U.S.C. 5310.

- C. The private nonprofit subrecipient's application for 49 U.S.C. 5310 assistance contains information from which the state concludes that the transit service provided or offered to be provided by existing public or private transit operators is unavailable, insufficient, or inappropriate to meet the special needs of the elderly and persons with disabilities.
- D. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.
- E. The state assures that, before issuing the state's formal approval of a project, its Elderly and Persons with Disabilities Formula Program is included in the Statewide Transportation Improvement Program as required by 23 U.S.C. 135; all projects to be implemented in urbanized areas recommended for approval are included in the metropolitan Transportation Improvement Program in which the subrecipient is located; and any prospective subrecipient of capital assistance that is a public body has provided an opportunity for a public hearing.
- F. The state recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by each subrecipient, the state assures, on behalf of each subrecipient, that:
  - (1) The subrecipient has or will have by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment financed with Federal assistance awarded for its project;
  - (2) The subrecipient has coordinated or will coordinate to the maximum extent feasible with other transportation providers and users, including social service agencies authorized to purchase transit service;
  - (3) The subrecipient has complied or will comply with all applicable civil rights requirements;
  - (4) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
  - (5) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;
  - (6) The subrecipient has complied or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;
  - (7) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;
  - (8) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other Federal requirements that

- may be applicable;
- (9) The subrecipient has complied or will comply with the requirement that its project provide for the participation of private mass transportation companies to the maximum extent feasible;
  - (10) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;
  - (11) The subrecipient has complied or will comply with all applicable lobbying requirements for each application exceeding \$100,000;
  - (12) The subrecipient has complied or will comply with all applicable nonprocurement suspension and debarment requirements;
  - (13) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;
  - (14) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements to the extent required by FTA; and
  - (15) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements.
- G. Unless otherwise noted, each of the subrecipient's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23 CFR 771.117(c). The state certifies that, until the required Federal environmental finding is made, financial assistance will not be provided for any project that does not qualify for a categorical exclusion described in 23 CFR 771.117(c). The state further certifies that, until the required Federal conformity finding has been made, no financial assistance will be provided for a project requiring a Federal conformity finding in accordance with the U.S. Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93.
- H. The state assures that it will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.
- I. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the state and its subrecipients will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by its subrecipients to assure compliance with applicable Federal requirements.

## **15. NONURBANIZED AREA FORMULA PROGRAM**

*An Applicant that intends to administer the Nonurbanized Area Formula Program on behalf of a state must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances. FTA may not award Nonurbanized Area Formula Program assistance to the Applicant until the Applicant provides these certifications and assurances.*

The Applicant administering, on behalf of the state, the Nonurbanized Area Formula Program authorized by 49 U.S.C. 5311 certifies and assures that the following requirements and conditions will be fulfilled:

- A. The state organization serving as the Applicant and each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized for 49 U.S.C. 5311; and to implement and manage the project.
- B. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.
- C. The state assures that before issuing the state's formal approval of the project, its Nonurbanized Area Formula Program is included in the Statewide Transportation Improvement Program as required by 23 U.S.C. 135; and projects are included in a metropolitan Transportation Improvement Program, to the extent applicable.
- D. The state has provided for a fair and equitable distribution of Federal assistance authorized for 49 U.S.C. 5311 within the state, including Indian reservations within the state.
- E. The state recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by each subrecipient, the state assures, on behalf of each subrecipient, that:
  - (1) The subrecipient has or will have, by the time of delivery, sufficient funds to operate and maintain the vehicles and equipment financed with Federal assistance awarded for its project;
  - (2) The subrecipient has coordinated or will coordinate to the maximum extent feasible with other transportation providers and users, including social service agencies authorized to purchase transit service;
  - (3) The subrecipient has complied or will comply with all applicable civil rights requirements;
  - (4) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
  - (5) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;
  - (6) The subrecipient has complied or will comply with the transit employee protective provisions of 49 U.S.C. 5333(b), by one of the following actions: (a) signing the Special Warranty for the Nonurbanized Area Formula Program, (b) agreeing to alternative comparable arrangements approved by the Department of Labor (DOL), or (c) obtaining a waiver from DOL; and the state has certified the subrecipient's compliance to DOL;
  - (7) The subrecipient has complied or will comply with 49 CFR part 604 in the provision of any charter service provided with equipment or facilities acquired with FTA assistance;
  - (8) The subrecipient has complied or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;
  - (9) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before

- purchasing non-accessible vehicles for use in demand responsive service for the general public;
- (10) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other Federal requirements that may be applicable;
  - (11) The subrecipient has complied or will comply with the requirement that its project provide for the participation of private enterprise to the maximum extent feasible;
  - (12) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;
  - (13) The subrecipient has complied or will comply with all applicable lobbying requirements for each application exceeding \$100,000;
  - (14) The subrecipient has complied or will comply with all applicable nonprocurement suspension and debarment requirements;
  - (15) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;
  - (16) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements;
  - (17) The subrecipient has complied with or will comply with all assurances FTA requires for projects involving real property;
  - (18) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements, to the extent required by FTA; and
  - (19) The subrecipient has complied or will comply with applicable prevention of alcohol misuse and prohibited drug use program requirements, to the extent required by FTA.
- F. Unless otherwise noted, each of the subrecipient's projects qualifies for a categorical exclusion and does not require further environmental approvals, as described in the joint FHWA/FTA regulations, "Environmental Impact and Related Procedures," at 23 CFR 771.117(c). The state certifies that, until the required Federal environmental finding is made, financial assistance will not be provided for any project that does not qualify for a categorical exclusion described in 23 CFR 771.117(c). The state further certifies that, until the required Federal conformity finding has been made, no financial assistance will be provided for a project requiring a Federal conformity finding in accordance with the U.S. Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93.
- G. The state assures that it will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.
- H. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the state and its subrecipients will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by its subrecipients to assure compliance with applicable Federal requirements.
- I. In compliance with the requirements of 49 U.S.C. 5311(f), the state assures that it will

expend not less than fifteen (15) percent of the amounts of Federal assistance as provided in 49 U.S.C. 5311(f) and apportioned during this Federal fiscal year to carry out a program within the state to develop and support intercity bus transportation, unless the chief executive officer of the state, or his or her designee, duly authorized under state law, regulations or procedures, certifies to the Federal Transit Administrator that the intercity bus service needs of the state are being adequately met.

## **16. STATE INFRASTRUCTURE BANK PROGRAM**

*An Applicant for a grant of Federal assistance for deposit in its State Infrastructure Bank (SIB) must provide the following certifications and assurances. In providing certifications and assurances that require the compliance of its prospective subrecipients, the Applicant is expected to obtain sufficient documentation from those subrecipients to assure the validity of its certifications and assurances. FTA may not award assistance for the SIB Program to the Applicant until the Applicant provides these certifications and assurances."*

The state, serving as the Applicant for Federal assistance for its State Infrastructure Bank (SIB) Program authorized by either section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or the State Infrastructure Bank Pilot Program, 23 U.S.C. 181 note, certifies and assures that the following requirements and conditions concerning any transit Project financed with Federal assistance derived from its SIB have been or will be fulfilled:

- A. The state organization, which is serving as the Applicant (state) for Federal assistance for its SIB, agrees and assures the agreement of its SIB and the agreement of each recipient of Federal assistance derived from the SIB within the state (subrecipient) that each transit Project financed with Federal assistance derived from SIB will be administered in accordance with:
  - (1) Applicable provisions of section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or of the State Infrastructure Bank Pilot Program, 23 U.S.C. 181 note, and any further amendments thereto;
  - (2) The provisions of any applicable Federal guidance that may be issued;
  - (3) The terms and conditions of Department of Labor Certification(s) of Transit Employee Protective Arrangements that are required by Federal law or regulations;
  - (4) The provisions of the FHWA and FTA cooperative agreement with the state to establish the state's SIB Program; and
  - (5) The provisions of the FTA grant agreement with the state that provides Federal assistance for the SIB, except that any provision of the Federal Transit Administration Master Agreement incorporated by reference into that grant agreement will not apply if it conflicts with any provision of National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, or section 1511 of TEA-21, as amended, 23 U.S.C. 181 note, Federal guidance pertaining to the SIB Program, the provisions of the cooperative agreement establishing the SIB Program within the state, or the provisions of the FTA grant agreement.
- B. The state agrees to comply with, and assures the compliance of the SIB and each subrecipient of assistance provided by the SIB with, all applicable requirements for the SIB Program, as

those requirements may be amended from time to time. Pursuant to subsection 1511(h)(2) of TEA-21, 23 U.S.C. 181 note, the state understands and agrees that any previous cooperative agreement entered into with FHWA and FTA under section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note, has been or will be revised to comply with the requirements of TEA-21.

- C. The state assures that the SIB will provide Federal assistance from its Transit Account only for transit capital projects eligible under section 350 of the National Highway System Designation Act of 1995, as amended, 23 U.S.C. 101 note or under section 1511 of TEA-21, 23 U.S.C. 181 note, and that those projects will fulfill all requirements imposed on comparable capital transit projects financed by FTA.
- D. The state understands that the total amount of funds to be awarded will not be immediately available for draw down. Consequently, the state assures that it will limit the amount of Federal assistance it draws down for deposit in the SIB to amounts that do not exceed the limitations specified in the grant agreement or the approved project budget for that grant agreement.
- E. The state assures that each subrecipient has or will have the necessary legal, financial, and managerial capability to apply for, receive, and disburse Federal assistance authorized by Federal statute for use in the SIB, and to implement, manage, operate, and maintain the project and project property for which such assistance will support.
- F. The state assures that sufficient non-Federal funds have been or will be committed to provide the required local share.
- G. The state recognizes that the SIB, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance by the SIB, the state assures, on behalf of the SIB, that:
  - (1) The SIB has complied or will comply with all applicable civil rights requirements;
  - (2) The SIB has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
  - (3) The SIB will provide Federal assistance only to a subrecipient that is either a public or private entity recognized under state law as having the legal capability to contract with the state to carry out its proposed project;
  - (4) Before the SIB enters into an agreement with a subrecipient to disburse Federal assistance for a project, the subrecipient's project is included in the Statewide Transportation Improvement Program; all projects in urbanized areas recommended for approval are included in the metropolitan Transportation Improvement Program in which the subrecipient is located; and the requisite certification that an opportunity for a public hearing has been provided;
  - (5) The SIB will not provide Federal financial assistance for any project that does not qualify for a categorical exclusion as described in 23 CFR 771.117(c) until the required Federal environmental finding has been made. Moreover, the SIB will provide no financial assistance for a project requiring a Federal conformity finding in accordance with the Environmental Protection Agency's Clean Air Conformity regulations at 40 CFR parts 51 and 93, until the required Federal conformity finding has been made;
  - (6) Before the SIB provides Federal assistance for a transit project, each subrecipient will

have complied with the applicable transit employee protective provisions of 49 U.S.C. 5333(b) as required for that subrecipient and its project; and

- (7) The SIB will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed, including specific provisions that any security or debt financing instrument that the SIB may issue shall contain an express statement that the security or debt financing instrument does not constitute a commitment, guarantee, or obligation of the United States.
- H. The state also recognizes that the subrecipient, rather than the state itself, will be ultimately responsible for implementing many Federal requirements covered by the certifications and assurances the state has signed. After having taken appropriate measures to secure the necessary compliance of each subrecipient, the state assures, on behalf of each subrecipient, that:
- (1) The subrecipient has complied or will comply with all applicable civil rights requirements;
  - (2) The subrecipient has complied or will comply with applicable requirements of U.S. DOT regulations regarding participation of disadvantaged business enterprises in U.S. DOT programs;
  - (3) The subrecipient has complied or will comply with Federal requirements regarding transportation of elderly persons and persons with disabilities;
  - (4) The subrecipient has complied or will comply with the applicable transit employee protective provisions of 49 U.S.C. 5333(b) as required for that subrecipient and its project;
  - (5) The subrecipient has complied or will comply with 49 CFR part 604 in the provision of any charter service provided with equipment or facilities acquired with FTA assistance;
  - (6) The subrecipient has complied with or will comply with applicable provisions of 49 CFR part 605 pertaining to school transportation operations;
  - (7) Viewing its demand responsive service to the general public in its entirety, the subrecipient has complied or will comply with the requirement to provide demand responsive service to persons with disabilities, including persons who use wheelchairs, meeting the standards of equivalent service set forth in 49 CFR 37.77(c), before purchasing non-accessible vehicles for use in demand responsive service for the general public;
  - (8) The subrecipient has established or will establish a procurement system, and has conducted or will conduct its procurements in compliance with all applicable provisions of Federal laws, executive orders, regulations, FTA Circular 4220.1E, "Third Party Contracting Requirements," as amended and revised, and other implementing requirements FTA may issue;
  - (9) The subrecipient has complied or will comply with the requirement that its project provides for the participation of private mass transportation companies to the maximum extent feasible;
  - (10) The subrecipient has paid or will pay just compensation under state or local law to each private mass transportation company for its franchise or property acquired under the project;
  - (11) The subrecipient has complied or will comply with all applicable lobbying

- requirements for each application exceeding \$100,000;
- (12) The subrecipient has complied or will comply with all nonprocurement suspension and debarment requirements;
  - (13) The subrecipient has complied or will comply with all applicable bus testing requirements for new bus models;
  - (14) The subrecipient has complied or will comply with all applicable pre-award and post-delivery review requirements;
  - (15) The subrecipient has complied with or will comply with all assurances FTA requires for projects involving real property;
  - (16) The subrecipient has complied or will comply with applicable FTA Intelligent Transportation Systems architecture requirements, to the extent required by FTA; and
  - (17) The subrecipient has complied or will comply with applicable prevention of alcohol misuse and prohibited drug use program requirements, to the extent required by FTA.
- I. The state recognizes the authority of FTA, U.S. DOT, and the Comptroller General of the United States to conduct audits and reviews to verify compliance with the foregoing requirements and stipulations, and assures that, upon request, the SIB and its subrecipients, as well as the states, will make the necessary records available to FTA, U.S. DOT and the Comptroller General of the United States. The state also acknowledges its obligation under 49 CFR 18.40(a) to monitor project activities carried out by the SIB and its subrecipients to assure compliance with applicable Federal requirements.

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**FEDERAL FISCAL YEAR 2005 CERTIFICATIONS AND ASSURANCES FOR  
FEDERAL TRANSIT ADMINISTRATION ASSISTANCE PROGRAMS**

*(Paper Record of Certifications and Assurances in TEAM-Web)*

**Name of Applicant:** \_\_\_\_\_

**The Applicant agrees to comply with applicable requirements of Categories 01 - 16.** \_\_\_\_\_

**OR**

**The Applicant agrees to comply with the applicable requirements of the following  
Categories it has selected:**

<u>Category</u>	<u>Description</u>	
01.	Required of Each Applicant	_____
02.	Lobbying	_____
03.	Private Mass Transportation Companies	_____
04.	Public Hearing	_____
05.	Acquisition of Rolling Stock	_____
06.	Bus Testing	_____
07.	Charter Service Agreement	_____
08.	School Transportation Agreement	_____
09.	Demand Responsive Service	_____
10.	Alcohol Misuse and Prohibited Drug Use	_____
11.	Interest and Other Financing Costs	_____
12.	Intelligent Transportation Systems	_____
13.	Urbanized Area, JARC, and Clean Fuels Programs	_____
14.	Elderly and Persons with Disabilities Program	_____
15.	Nonurbanized Area Formula Program	_____
16.	State Infrastructure Bank Program	_____

**FEDERAL FISCAL YEAR 2005 FTA CERTIFICATIONS AND ASSURANCES**

*(Required of all Applicants for FTA assistance and all FTA Grantees with an active capital or formula project)*

**AFFIRMATION OF APPLICANT**

Name of Applicant: \_\_\_\_\_

Name and Relationship of Authorized Representative: \_\_\_\_\_

BY SIGNING BELOW, on behalf of the Applicant, I declare that the Applicant has duly authorized me to make these certifications and assurances and bind the Applicant's compliance. Thus, the Applicant agrees to comply with all Federal statutes, regulations, executive orders, and Federal requirements applicable to each application it makes to the Federal Transit Administration (FTA) in Federal Fiscal Year 2005.

FTA intends that the certifications and assurances the Applicant selects on the other side of this document, as representative of the certifications and assurances in Appendix A, should apply, as required, to each project for which the Applicant seeks now, or may later, seek FTA assistance during Federal Fiscal Year 2005.

The Applicant affirms the truthfulness and accuracy of the certifications and assurances it has made in the statements submitted herein with this document and any other submission made to FTA, and acknowledges that the provisions of the Program Fraud Civil Remedies Act of 1986, 31 U.S.C. 3801 *et seq.*, as implemented by U.S. DOT regulations, "Program Fraud Civil Remedies," 49 CFR part 31 apply to any certification, assurance or submission made to FTA. The criminal fraud provisions of 18 U.S.C. 1001 apply to any certification, assurance, or submission made in connection with a Federal Transit program authorized in Chapter 53 or any other statute. In signing this document, I declare under penalties of perjury that the foregoing certifications and assurances, and any other statements made by me on behalf of the Applicant are true and correct.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_  
Authorized Representative of Applicant

**AFFIRMATION OF APPLICANT'S ATTORNEY**

For (Name of Applicant): \_\_\_\_\_

As the undersigned Attorney for the above named Applicant, I hereby affirm to the Applicant that it has authority under state and local law to make and comply with the certifications and assurances as indicated on the foregoing pages. I further affirm that, in my opinion, the certifications and assurances have been legally made and constitute legal and binding obligations on the Applicant.

I further affirm to the Applicant that, to the best of my knowledge, there is no legislation or litigation pending or imminent that might adversely affect the validity of these certifications and assurances, or of the performance of the project.

Signature \_\_\_\_\_ Date: \_\_\_\_\_

Name \_\_\_\_\_  
Attorney for Applicant

Each Applicant for FTA financial assistance (except 49 U.S.C. 5312(b) assistance) and each FTA Grantee with an active capital or formula project must provide an Affirmation of Applicant's Attorney pertaining to the Applicant's legal capacity. The Applicant may enter its signature in lieu of the Attorney's signature, provided the Applicant has on file this Affirmation, signed by the attorney and dated this Federal fiscal year.

State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

**LIST OF VEHICLE VENDORS**

A. Specialized Vehicles and ADA Equipment Information

1. Soderholm Sales and Leasing, Inc. – Oahu  
Telephone: 834-1417  
Fax: 834-1070
2. Van-Con, Inc. – Oahu  
Telephone: 781-2287  
Fax: 836-7729

B. Trucks, Vans and Passenger Vehicles

1. JN Chevrolet - Oahu  
Telephone: 831-2500
2. Cutter Chevrolet - Oahu  
Telephone: 946-8311
3. Honolulu Ford - Oahu  
Telephone: 532-1700
4. Windward Dodge - Oahu  
Telephone: 233-6000
5. Windward Ford - Oahu  
Telephone: 266-7000
6. Pacific Oldsmobile, GMC – Oahu  
Telephone: 487-5526
7. Servco Pacific Service Motors – Oahu  
Telephone: 622-4195

C. Or, contact any van, truck, passenger car vendor or manufacturer for information related to vehicle specifications and plans

Note:

This data is provided for informational purposes only and is not intended to be an endorsement by the Department.

State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

**LIST OF GOVERNMENT TRANSIT SUPPORT AGENCIES**

A. Federal

1. Federal Transit Administration  
Region IX  
201 Mission Street, Suite 2210  
San Francisco, CA 94105 Telephone: (415) 744-3115

B. State

1. Department of Transportation  
869 Punchbowl Street, Room 404  
Honolulu, HI 96813 Telephone: 587-1845
2. Disability and Communication Access Board, Department of Health  
919 Ala Moana Boulevard, Room 101  
Honolulu, HI 96814 Telephone: 586-8121
3. Executive Office on Aging  
250 South Hotel Street, Room 107  
Honolulu, HI 96813 Telephone: 586-0100

C. County

1. County of Kauai  
Office of Community Assistance  
Transportation Agency  
3220 Hoolako Street  
Lihue, HI 96766 Telephone: 241-6410
2. County of Hawaii  
Mass Transportation Agency  
25 Aupuni Street  
Hilo, HI 96720 Telephone: 961-8343
3. County of Maui  
Department of Transportation  
200 South High Street  
Wailuku, HI 96793 Telephone: 270-7511

State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

**PURCHASERS REQUIREMENTS CERTIFICATION**  
(Ten or fewer vehicles; one form per vehicle)

As required by Title 49 of the CFR, Part 663 – Subpart C, after visually inspecting and road testing the contract vehicle,

\_\_\_\_\_  
(Name of Recipient Organization)  
certifies that the,

\_\_\_\_\_  
(Vehicle Year, Make, Model)

\_\_\_\_\_  
(Vehicle Identification Number)  
from

\_\_\_\_\_  
(Name of Contractor)

meets the contract specifications and plans.

**This certification must be completed, submitted and approved by the Department prior to vehicle use.**

I am duly authorized to make the following certification on behalf of the Recipient Organization.

\_\_\_\_\_  
Signature Title Date

**SECTION 5310  
CAPITAL ASSISTANCE FOR THE TRANSPORTATION  
OF THE ELDERLY AND DISABLED**

**ANNUAL RECIPIENT ORGANIZATION REPORT  
For the Calendar Year - 2005**

**I. GENERAL INFORMATION**

**Name of Recipient Organization**

**Address**

**Organization Director and Title**

<b>Telephone</b>	[	]
<b>Fax</b>	[	]
<b>Email</b>	[	]
<b>Website</b>	[	]

**II. ORGANIZATION INFORMATION**

**Service Area** - Identify the Recipient Organization's total service area, in terms of the regions, communities and towns. The service area are the regions, communities and towns the clients served by the organization come from. And, check service area population for either < 200,000 or ≥ 200,000.

- ☐ Population less than 200,000 – Non-Urbanized Area  
☐ Population equal or greater than 200,000 – Urbanized Area

**Organizational Structure** – Identify the overall organization structure of the Recipient Organization, and changes to the organization during the year. If available provide an organization diagram.

**Number of Employees** – Provide the number of employees of the Recipient Organization by the categories provided. If the applicable category is not specified, use the blank space, and describe the category and provide the number of employees.

[      ]	Full-time	[      ]	[      ]
[      ]	Part-time	[      ]	[      ]
[      ]	Volunteer	[      ]	[      ]
[      ]	Contract		

**Organization Income** – For the year, identify the Recipient Organization's sources of income and their amounts. If the income has varied from previous years, explain why; or will fluctuate in the upcoming years, explain why; and whether this will affect the organization's financial stability.

**Organization Expenses** – For the year, identify the Recipient Organization's expenditure amount for the operations. If the expenditures have varied from previous years, explain why; or will fluctuate in the upcoming years, explain why.

**Provide a copy of the Recipient Organization's annual financial report, if available.**

### III. TRANSPORTATION INFORMATION

**Ethnic Group** – For the year, provide by ethnic group the average number clients served by the Recipient Organization’s transportation service programs services (the transporting of clients/passengers and transportation services for clients that do not transport clients). This information is required for the Civil Rights requirement.

<input type="checkbox"/>	<input type="checkbox"/>	White	<input type="checkbox"/>	<input type="checkbox"/>	Vietnamese
<input type="checkbox"/>	<input type="checkbox"/>	Hawaiian/Part Hawaiian	<input type="checkbox"/>	<input type="checkbox"/>	Samoaan
<input type="checkbox"/>	<input type="checkbox"/>	Chinese	<input type="checkbox"/>	<input type="checkbox"/>	Hispanic
<input type="checkbox"/>	<input type="checkbox"/>	Japanese	<input type="checkbox"/>	<input type="checkbox"/>	African American
<input type="checkbox"/>	<input type="checkbox"/>	Filipino	<input type="checkbox"/>	<input type="checkbox"/>	American Indian/Alaskan
<input type="checkbox"/>	<input type="checkbox"/>	Korean	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Gender** – For the year, provide by gender the average number clients served by the Recipient Organization’s transportation service programs services (the transporting of clients/passengers and transportation services for clients that do not transport clients). This information is required for the Civil Rights requirement.

<input type="checkbox"/>	<input type="checkbox"/>	Male	<input type="checkbox"/>	<input type="checkbox"/>	Female
--------------------------	--------------------------	------	--------------------------	--------------------------	--------

**Driver Training** – For the year, identify and describe the driver training provided to the Recipient Organization’s employees.

**Repair & Maintenance** – Identify the Recipient Organization’s repair and maintenance businesses that service the organization’s vehicle fleet.

**1. Chassis Repair and Maintenance Service**

**2. Body Repair & Maintenance Service**

**3. Lift/Ramp/Gurney Equipment Repair & Maintenance Service**



**Coordinated Transportation Services** – Identify any coordinated transportation service efforts and their benefits that occurred for the year, such as coordinating with other public or private transportation service agencies or special needs transportation service agencies. Also, provide any future planned transportation coordination efforts, and their benefits.

**Transportation Service Changes** – Identify any changes to the Recipient Organization's transportation services for the past year, and their benefits and impacts to the transportation services and program services. Also, provide any future planned transportation service changes, and their benefits.

**Fleet Information** – Complete the Fleet Information Table for all vehicles owned or leased by the Recipient Organization's transportation services for clients. The table requires the following information:

- Year – the year the vehicle was manufactured;
- Make – the manufacturer of the vehicle, such as Ford, International, Econoline;
- Model – the manufacturer's model of the vehicle, such as S-350;
- License Plate # - the vehicle license plate number;
- VIN – Vehicle Identification Number of the vehicle;
- Odometer Reading – the number of miles the vehicle has traveled;
- Seating Capacity – the number of total passenger seats the vehicle provides for, including the driver;
- W/C Lift or Ramp – provide whether the vehicle has a wheel chair lift or ramp, or gurney;
- # of W/C Tiedowns – provide the number of wheelchair tiedowns in the vehicle;
- Name of Program – provide the program(s) the vehicle services. The program identified must be from the programs provided in the Transportation Service part of the Application; and
- 5310 Vehicle – identify whether the vehicle was purchased with Section 5310 program funding assistance.

**Applicant Organization Name** [ \_\_\_\_\_ ]

## II. TRANSPORTATION INFORMATION – Fleet Information Table

[illegible]

**Applicant Organization Name** [\_\_\_\_\_]

## II. TRANSPORTATION INFORMATION – Fleet Information Table

[illegible]

**Section 5310 Vehicle Programs** – For programs that use Section 5310 Vehicles, provide the following transportation information for the year.

**Program Name** [ ]

1. **Program Services & Transportation Services Provided** – Describe the social, health and transportation services the program provides. Brochures and pamphlets may be provided.
  
2. **Transportation Service Area** – Identify the areas that the clients are transported in the program.
  
3. **Transportation Days & Hours of Service** – Identify the days and hours the program's transportation service is available to the program clients.
  
4. **Number of Clients Served by the Program** – Provide the number clients served by the program for the year.
  
5. **Single Trips** – For the year, provide the number of single trips from the Recipient Organization's vehicle fleet used for the program. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients. The Client trips must further be categorized into passenger trips that are for the elderly, non-elderly, disabled and non-disabled.

Clients	Primary Use	Elderly disabled	
		Elderly non-disabled	
		Non-elderly disabled	
	Incidental Use	Non-elderly non-disabled	
Non-Clients	Incidental Use		

6. **Transportation Operations Income** – Total transportation income for program.
  
7. **Transportation Operations Expenses** – Total transportation expenses for program

**Section 5310 Vehicle Programs** – For programs that use Section 5310 Vehicles, provide the following transportation information for the year.

**Program Name** [ ]

1. **Program Services & Transportation Services Provided** – Describe the social, health and transportation services the program provides. Brochures and pamphlets may be provided.
  
2. **Transportation Service Area** – Identify the areas that the clients are transported in the program.
  
3. **Transportation Days & Hours of Service** – Identify the days and hours the program's transportation service is available to the program clients.
  
4. **Number of Clients Served by the Program** – Provide the number clients served by the program for the year.
  
5. **Single Trips** – For the year, provide the number of single trips from the Recipient Organization's vehicle fleet used for the program. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients. The Client trips must further be categorized into passenger trips that are for the elderly, non-elderly, disabled and non-disabled.

Clients	Primary Use	Elderly disabled	
		Elderly non-disabled	
		Non-elderly disabled	
	Incidental Use	Non-elderly non-disabled	
Non-Clients	Incidental Use		

6. **Transportation Operations Income** – Total transportation income for program.
  
7. **Transportation Operations Expenses** – Total transportation expenses for program

**Section 5310 Vehicle Programs** – For programs that use Section 5310 Vehicles, provide the following transportation information for the year.

**Program Name** [ ]

- 1. Program Services & Transportation Services Provided** – Describe the social, health and transportation services the program provides. Brochures and pamphlets may be provided.
  
- 2. Transportation Service Area** – Identify the areas that the clients are transported in the program.
  
- 3. Transportation Days & Hours of Service** – Identify the days and hours the program's transportation service is available to the program clients.
  
- 4. Number of Clients Served by the Program** – Provide the number clients served by the program for the year.
  
- 5. Single Trips** – For the year, provide the number of single trips from the Recipient Organization's vehicle fleet used for the program. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients. The Client trips must further be categorized into passenger trips that are for the elderly, non-elderly, disabled and non-disabled.

Clients	Primary Use	Elderly disabled	
		Elderly non-disabled	
		Non-elderly disabled	
	Incidental Use	Non-elderly non-disabled	
Non-Clients	Incidental Use		

- 6. Transportation Operations Income** – Total transportation income for program.
  
- 7. Transportation Operations Expenses** – Total transportation expenses for program

#### IV. SECTION 5310 VEHICLE INFORMATION

For programs that use Section 5310 Vehicles, provide the following vehicle information for each Section 5310 vehicle.

**Section 5310 Vehicle License Plate Number** [ ]

1. **Vehicle Transportation Service** – The transportation service or vehicle use has changed as described in the approved Application? ☐ Yes ☐ No If yes, describe the changes.

2. **Single Trips** – For the year, provide the number of single trips the subject Section 5310 vehicle provided for the year. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients. The Client trips must further be categorized into passenger trips that are for the elderly, non-elderly, disabled and non-disabled.

Clients	Primary Use	Elderly disabled	
		Elderly non-disabled	
		Non-elderly disabled	
	Incidental Use	Non-elderly non-disabled	
Non-Clients	Incidental Use		

3. **Vehicle Incidents** – Identify each incident during the year where damage to the vehicle occurred, such as accidents, collisions, vandalism, and theft; damage done to the vehicle and property; human injury or death; and actions taken by the Recipient Organization.

4. **Service Incidents** – Identify each incident during the year where the transportation service was disrupted, such as passenger disturbance, disorderly service animals, assaults, robbery, and drug influence; and actions taken by the Recipient Organization.

For programs that use Section 5310 Vehicles, provide the following vehicle information for each Section 5310 vehicle.

**Section 5310 Vehicle License Plate Number** [ ]

- 1. Vehicle Transportation Service** – The transportation service or vehicle use has changed as described in the approved Application? ☐ Yes ☐ No If yes, describe the changes.

- 2. Single Trips** – For the year, provide the number of single trips the subject Section 5310 vehicle provided for the year. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients. The Client trips must further be categorized into passenger trips that are for the elderly, non-elderly, disabled and non-disabled.

Clients	Primary Use	Elderly disabled	
		Elderly non-disabled	
		Non-elderly disabled	
	Incidental Use	Non-elderly non-disabled	
Non-Clients	Incidental Use		

- 3. Vehicle Incidents** – Identify each incident during the year where damage to the vehicle occurred, such as accidents, collisions, vandalism, and theft; damage done to the vehicle and property; human injury or death; and actions taken by the Recipient Organization.

- 4. Service Incidents** – Identify each incident during the year where the transportation service was disrupted, such as passenger disturbance, disorderly service animals, assaults, robbery, and drug influence; and actions taken by the Recipient Organization.



For programs that use Section 5310 Vehicles, provide the following vehicle information for each Section 5310 vehicle.

**Section 5310 Vehicle License Plate Number** [ ]

- 1. Vehicle Transportation Service** – The transportation service or vehicle use has changed as described in the approved Application? ☐ Yes ☐ No If yes, describe the changes.

- 2. Single Trips** – For the year, provide the number of single trips the subject Section 5310 vehicle provided for the year. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients. The Client trips must further be categorized into passenger trips that are for the elderly, non-elderly, disabled and non-disabled.

Clients	Primary Use	Elderly disabled	
		Elderly non-disabled	
		Non-elderly disabled	
	Incidental Use	Non-elderly non-disabled	
Non-Clients	Incidental Use		

- 3. Vehicle Incidents** – Identify each incident during the year where damage to the vehicle occurred, such as accidents, collisions, vandalism, and theft; damage done to the vehicle and property; human injury or death; and actions taken by the Recipient Organization.

- 4. Service Incidents** – Identify each incident during the year where the transportation service was disrupted, such as passenger disturbance, disorderly service animals, assaults, robbery, and drug influence; and actions taken by the Recipient Organization.

#### IV. CERTIFYING AUTHORITY

I am duly authorized to make the following certification on behalf of the Recipient Organization and based on my position, knowledge and experience with the Recipient Organization the information contained in the Annual Recipient Organization Report, including attachments, is true and correct.

---

Signature

---

Title

---

Date

**SECTION 5310**  
**CAPITAL ASSISTANCE FOR THE TRANSPORTATION**  
**OF THE ELDERLY AND DISABLED**

**For the Calendar Year - 2005**

**Single Trips per Quarter** – For the quarter, provide the number of single trips the Section 5310 vehicle is used. The trips are identified in two categories (1) Clients defined as trips for the transporting of clients, and (2) Non-Clients defined as trips for clients that are not transporting clients. The Client trips must further be categorized into passenger trips that are for the elderly, non-elderly, disabled and non-disabled.

Clients	Primary Use	Elderly disabled	
		Elderly non-disabled	
		Non-elderly disabled	
	Incidental Use	Non-elderly non-disabled	
Non-Clients	Incidental Use		

**Vehicle Incidents** – Describe each incident where damage to the Section 5310 vehicle occurred, incidents such as accidents, collisions, vandalism, and theft; damage done to the vehicle and property; human injury or death; and actions taken by the organization.

**Service Incidents** – Describe each incident where disruption to the transportation service of the Section 5310 vehicle occurred, incidents such as passenger disturbance, service animals, assaults, robbery, and drug influence; and actions taken by the organization.

**Vehicle Condition** – Identify the condition of the Section 5310 vehicle as provided in the categories below:

	Excellent	Good	Fair	Poor	Critical
<b>Chassis</b> ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Engine, Transmission, Suspension, Frame, Brakes, Steering)					
<b>Body – Exterior</b> ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Body – Interior</b> ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Electrical</b> ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Battery, Wiring, Lights)					
<b>ADA Equipment</b> ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Wheelchair Lift or Ramp, Wheelchair or Gurney Positions, Tiedowns)					
<b>Safety Equipment</b> ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(Safety Kit, Fire Extinguisher)					
<b>Air Conditioning</b> ..... <input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

#### IV. FINANCIAL INFORMATION

Provide the operations income and expenses for the Section 5310 Vehicle during the quarter. If the income or expense category is not provided, use the blank lines. Amounts may be provided to the nearest ten dollars.

Income/Revenues		EXPENSES	
Federal Funding Grants		Driver	
State Funding Grants		Gas	
Local Funding Grants		Regular & Preventive Maintenance	
Passenger Fees and Fares		Unscheduled Repairs	
Donations		Vehicle Insurance	
Products or services income		Indirect	
Fundraisers			
Total Income/Revenues		Total Expenses	

#### V. CERTIFYING AUTHORITY

I am duly authorized to make the following certification on behalf of the Recipient Organization and based on my position, knowledge and experience with the Recipient Organization the information contained in the Quarterly Recipient Organization Report, including attachments, is true and correct.

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_  
Signature Title Date

State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

**Federal Transit Administration (FTA) Section 5310  
Site Inspection Checklist**

**I. INSPECTION INFORMATION**

Date/Time of Inspection: _____	Inspection Personnel:
Date of Last Inspection: _____	<input type="checkbox"/> Ken Tatsuguchi
	<input type="checkbox"/> Patrick Nakashima
	<input type="checkbox"/> _____

**II. SUB-RECIPIENT**

Agency Name: _____	Agency Site Inspection Personnel:
Address: _____	1. Name: _____
Telephone No: _____	Position Title: _____
Fax No: _____	Telephone No: _____
E-Mail: _____	E-Mail: _____
	2. Name: _____
	Position Title: _____
	Telephone No: _____
	E-Mail: _____

**SIGNATURE OF SUB-RECIPIENT**

I hereby certify that the information contained in this form and attachments is true and correct.

_____ Signature	_____ Date
_____ Print Name	_____ Title and Position

**III. TYPE OF SERVICE PROVIDED**

<input type="checkbox"/> Shuttle	<input type="checkbox"/> Subscription	<input type="checkbox"/> _____
<input type="checkbox"/> Fixed Route	<input type="checkbox"/> Demand Responsive	

A. Describe the transportation services:

\_\_\_\_\_  
\_\_\_\_\_

B. Describe the agency program, if different for transportation services:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**IV. TRANSPORTATION SERVICE**

A. Does the agency have a transportation service policy? If "yes", attach a copy. If "no", describe. ☐ Y ☐ N

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

B. Does the agency allow adequate time for transit vehicle boarding and disembarking? ☐ Y ☐ N

If "yes", describe procedures for both disabled and non-disabled persons. If "no", cite reasons.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

C. Does the agency provide transportation services that are incidental? ☐ Y ☐ N

If "yes", provide documentation of incidental use and not affecting primary service.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

- D. Does the agency have a non-discriminatory transportation service policy? (Such as, equal service, service animals, respirators and portable oxygen for elderly and disabled persons) ☐ Y ☐ N

---



---



---

- E. Does the agency provide incidental charter bus (paid/contract) service? If "yes", describe service. ☐ Y ☐ N

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---



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- F. Does the agency provide incidental school bus service? If "yes", describe service. ☐ Y ☐ N

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## V. MARKETING

- A. Does the agency market its services to the general public? If "yes", identify marketing strategies. ☐ Y ☐ N

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---



---

- B. Does the agency have a policy on marketing transportation services? ☐ Y ☐ N  
If "yes", attach policy and describe how transportation services are marketed.

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- C. Does the agency use accessible formats and technologies to market its programs? ☐ Y ☐ N  
If "yes", provide evidence. If "no", cite reason(s).

---



---



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## VI. FLEET INFORMATION (Attach additional sheets as necessary.)

- A. Identify Section 5310 vehicles.

	License #	Year	Make	Model	Type	Weight	# Passengers	VIN #
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								

- B. Identify other vehicles in fleet.

	License #	Year	Make	Model	Type	Weight	# Passengers	VIN #
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								

## VII. COMMERCIAL DRIVERS LICENSE (CDL)

- A. Does the agency require transportation service employees to possess a CDL? ☐ Y ☐ N  
If "yes", identify the number of employees that have CDL's.
- B. Does the agency conduct random drug and alcohol testing? ☐ Y ☐ N

## VIII. MAINTENANCE

- A. Does the agency have a vehicle maintenance policy? If "yes", provide copy of maintenance policy. If "no", cite reason(s). ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- B. Does the agency have a vehicle **regular maintenance** policy where vehicles are serviced based on the manufacturer's recommended service schedule of your FTA-funded vehicle(s)? If "yes", provide a copy of policy and describe the work performed in the last 12 months with documentation. If "no", explain. ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- C. Does the agency have a vehicle **preventive maintenance** policy where vehicles are serviced on a periodic basis to prevent breakdown and preserve the service life of FTA funded vehicle(s)? If "yes", provide a copy of policy and describe the work performed in the last 12 months with documentation. If "no", explain. ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- D. Does the agency have a vehicle **"Pre-Trip" and "Post-Trip"** reporting policy? If "yes", provide a copy of policy and describe the work performed in the last 12 months with documentation. If "no", explain. ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- E. Does the agency have a vehicle **unscheduled maintenance** policy where repairs are made on an as needed basis? If "yes", provide a copy of policy and describe the work performed in the last 12 months with documentation. If "no", explain. ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## IX. VEHICLE DAMAGES AND COLLISION REPORTING

- A. Does the agency have a policy for reporting vehicle damages, including collisions? If "yes", attach vehicle accident policy. If "no", cite reason(s). ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- B. Have any of the 5310 vehicles or equipment sustained any damage in the last 12 months? If "yes", describe each damage in detail and attach copies of damage report(s). ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- C. Have any of the 5310 vehicles been involved in a collision in the last 12 months? If "yes", describe collision in detail and attach copies of accident report(s). ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

## X. AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) COMPLIANCE

- A. Does the agency have a policy relating to ADA transportation service provisions? If "yes", provide copy of policy. If "no", cite reason(s). ☐ Y ☐ N
- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_



- B. Are the FTA funded ADA equipment part of the agency's vehicle regular, preventive, and pre/post trip maintenance programs? If "yes", provide copies. If "no", cite reason(s). ☐ Y ☐ N

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- C. Is each driver trained to use wheelchair lifts, securement devices, and other accessible equipment? If "yes", provide evidence of training or certification. If "no", cite reason(s). ☐ Y ☐ N

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**XI. FINANCIAL ASSURANCE**

- A. Provide the agency's annual revenue and operational costs, and describe the agency's funding sources.

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- B. Identify how much was spent on the agency's transportation program in the last 12 months:

1. Facilities (such as: baseyard, agency, parking lot, etc.; identify if expansion or repair)

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2. Transportation Personnel Costs (salary and overhead)

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3. Vehicles (such as: gas, tires, repairs, maintenance, insurance, etc.; identify if expansion or replacement)

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- C. Provide assurance of the agency's financial capabilities for the long term.

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**XII. MANAGEMENT ASSURANCE**

- A. Describe the agency's management structure and include organizational chart.

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- B. Describe the agency's management program (meetings, training, etc.) and changes that have occurred in the last 12 months.

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- C. Provide assurance of the agency's managerial capabilities in providing for an effective and efficient operation and transportation service for the long term.

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- D. Provide assurance of the agency's access to legal support.

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**XIII. STP OFFICE USE**

- A. Comments:

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- B. Follow-Up Items:

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State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

**Federal Transit Administration (FTA)**  
**Site Inspection Checklist**  
**Fleet Information Attachment**

**VI. FLEET INFORMATION (Complete one sheet for each fleet type identified below.)**

A. Fleet Type:

- ☐ Fixed Route ☐ Commuter Route  
☐ Fixed Route Complimentary Paratransit ☐ Social Service Transportation

B. Identify FTA vehicles:

	License #	Year	Make	Model	Type	Weight	# Passengers	VIN #	FTA Section
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									

C. Identify other fleet vehicles:

	License #	Year	Make	Model	Type	Weight	# Passengers	VIN #	Other
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									

D. Have any vehicles been removed from this fleet in the last 12 months?

☐ Y ☐ N

E. Were any of the removed vehicles funded by the FTA?

☐ Y ☐ N

If "yes", were the residual funds from the disposal reprogrammed into the agency's transportation program? If "no", provide background and reasons below.

☐ Y ☐ N

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State of Hawaii  
Department of Transportation  
Statewide Transportation Planning Office

**FTA Section 5309, 5310 & 5311 Program  
Project Disposition Instructions**

1. Contact the Hawaii State Department of Transportation Statewide Transportation Planning (STP) Office for initial disposition consultation at (808) 587-1845.
2. **No project disposition actions are permitted until written approval is received from the Hawaii State Department of Transportation.** Only written disposition approval from the STP office will release the Recipient Organization from all contractual obligations related to the Project.
3. Federal Transit Administration (FTA) regulations require that any proceeds received from the disposition of the Project must be reinvested in transit purposes.
4. The Recipient Organization is permitted to deduct and retain from the federal share \$500 or ten percent of the proceeds, whichever is less, for disposition efforts such as estimating, selling and handling expenses.
5. Disposition Options:
  - A. Service Life has not been met
    1. The Recipient Organization shall reimburse the Department 80 percent of the project value using the Straight-line Depreciation Method.
    2. The Project must be used for the eligible federal programmatic transportation services; therefore the Department shall determine the project's use. The Project may be used for reassigned to another transit organization by the Department.
  - B. Service Life has been met
    1. For Projects that are still in serviceable condition and the Recipient Organization has no use that is consistent with the federal programmatic transportation services. The Department will reassign the Project to another transit organization.
    2. For Projects that are not in serviceable condition the Project must be removed from its federal programmatic transportation service.
    3. For vehicles with a value equal or greater than \$5,000 the Recipient Organization shall have the vehicle assessed and value determined by an ASE certified mechanic.
6. A completed and signed Project Disposition Application with attachments is required. One application is required for each project disposition.

7. For vehicles, the Service Life is listed below. Service Life of rolling stock begins on the date the vehicle is placed in revenue service and continues until it is removed from service.
  - a. Large, heavy-duty transit buses (approximately 35' – 40', and articulated buses): at least 12 years of service or an accumulation of at least 500,000 miles.
  - b. Medium-size, heavy-duty transit buses (approximately 30'): 10 years or 350,000 miles.
  - c. Medium-size, medium-duty transit buses (approximately 30'): 7 years or 200,000 miles.
  - d. Medium-size, light-duty transit buses (approximately 25' – 30'): 5 years or 150,000 miles.
  - e. Other light-duty vehicles such as small buses and regular and specialized vans: 4 years or 100,000 miles.
8. For equipment Service Life contact the STP Office.
9. Documentation Required for Disposition:  
  
See the Project Disposition Application form.

FTA Section 5309, 5310 & 5311 Program  
Project Disposition Application

This form must be used for the disposition of Projects, such as vehicles and equipment, acquired with Federal Transit Administration (FTA) Section 5309, 5310 or 5311 Program funding assistance. For disposition, one completed and signed Project Disposition Application form with required attachments must be submitted for each Project.

I. Recipient Organization

- A. Name of Organization:

C. Telephone No.:
- B. Address:

D. Fax No.:
- D. E-mail Address:

II. Certification by Recipient Organization

I hereby certify that I am authorized to act on behalf of the above mentioned organization for the disposition of the Project, that the information this form and all attachments is true and correct, and that any proceeds received from the disposition will be reinvested in the transportation services of the mentioned organization or turned over to the Department.

Signature

Date

Print Name

Position Title

III. Project Information

- A. FTA Grant Number for Project:

E. Project Description (Year, Make, Model, Etc.):
- B. Project Purchase Cost:
- C. Date Project Accepted by Organization:

F. Vehicle License Plate Number:
- D. Vehicle Mileage:

G. Vehicle Identification Number (VIN):

IV. Disposition Information

- A. Reason for Disposition:

D. Explain the project disposition's effect on the organization's transportation service?
- B. Present Residual or Salvage Value:

E. Additional Information:
- C. Method of Disposition:

V. Vehicles with a value  $\geq$  \$5,000 (IV.B.) must be assessed and appraised by an ASE certified mechanic.

- A. Mechanic Name & Company Name:

C. Mechanic Address & Phone No.:
- B. Latest ASE certification date:

D. Mechanic Cost for Assessment:

VI. Attachments - Check the boxes that are applicable and provide documents with the disposition application.

- A. Required for vehicles:

☐ Copy of current Motor Vehicle Registration

☐ Copy of current Motor Vehicle Safety Check

☐ Photo(s) of vehicle's current condition

☐ Photo of vehicle front & rear license plates

☐ Photo of vehicle odometer

☐ Copy of vehicle value from Kelly Blue Book

B. Required for vehicles with a value  $\geq$  \$5,000 (IV.B.)

☐ Copy of mechanic's inspection/assessment report

☐ Copy of mechanic's invoice

C. Required for vehicle disposal due to vehicle accident

☐ Copy of Accident and/or Police Report

D. Required for Equipment

☐ Photo(s) of equipment's current condition

☐ Equipment Value documentation

VII. Hawaii State Department of Transportation Use Only

Recommendation:

Reviewed by:

Date:

Concurred by:

Date:

Approved / Disapproved

Signature:

Date: